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The Week

AS A RESULT of the Sino-Russian negotiations which have been in progress at Khabarovsk, Siberia, the dispute over the Chinese Eastern Railway is in a fair way to be settled. A protocol has been signed between Russia and the Mukden government, restoring Russia to active participation in the management of the railway, on the terms which existed before China ousted the Russians on the pretext that their consulates in Manchuria were being used as centers of Communist propaganda. This protocol is to be followed by a formal conference between Russia and China in Moscow, on January 25, at which an attempt will be made to set up guarantees which will prevent a repetition of the recent troubles. In the meantime, all troops will be withdrawn by both sides; the White Russians who have been employed by the Chinese on the railway will be dismissed, the White Guard corps disbanded and its leaders expelled. All Russian former employees of the road will get their jobs back. The protocol expresses the hope that the Russian consulates will be reopened, but definite action on this point is evidently considered a matter for Nanking. This agreement follows about the lines that were to be expected. While an agreement between Moscow and Mukden is, of course, not very conclusive, it gives Nanking an opportunity to come to terms, which it is undoubtedly glad to have. The approach to peace in Manchuria is a Christmas present to a war-weary world which ought to be very welcome.

A WASHINGTON despatch to The New York World, published in the issue of December 23, says that Secretary Stimson regards the signing of the protocol as "a vindication of the so-called Hoover doctrine of action under the Kellogg Peace Pact." If this despatch is an accurate statement of Secretary Stimson's view, we think he is wrong, and regret that he should give it utterance. As The New Republic pointed out in its issue of December 18, in view of the United States' responsibility for the Kellogg Pact, and the lack of any formal machinery for implementing it, there was, naturally, great pressure on him to take some such action as he did in his identical notes to China and Russia. There is no reason to believe, however, that the Kellogg Pact or Mr. Stimson's notes had anything whatever to do with the outcome. The Mukden government is not a signatory of the Pact, and to suppose that it would be influenced by it is fantastic. As for Russia, although it has signed the Pact, its hostility to the Western world, and to America in particular, is so strong that if it appeared to accede to their wishes, it would doubtless do so with regret. The peace in Manchuria is a peace of *realpolitik*.

THE narrow escape of the British Labor government from defeat on its coal bill seems to have been deserved. The opposition of the Tories was of course purely political, but that of the Liberals had sound reason and regard for the national interest behind it. Strangely enough, the Liberals object to Labor's bill because it is not radical enough. Instead of providing for a thoroughgoing reorganization of the coal industry, it is a piece of patchwork aimed to give an immediate reduction of hours to the miners and a guarantee of profitable prices to the owners. It does this by setting up agencies which will restrict production by determining quotas for each mine and district. Minimum prices will be established. And there is a device to

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facilitate lower prices on some kinds of coal, for some destinations, by loading the loss on to other types of sales. This is obviously necessary, under such a scheme, to prevent loss of the export market through the higher prices, and perhaps to subsidize the coal supplies of the domestic iron and steel companies as well. But there is no provision for elimination of uneconomic mines, for amalgamation, for more efficiency of operation. Without these basic requirements, the scheme boils down to subsidizing the industry at the expense of domestic consumers. It creates another handicap to British industrial reconstruction. It inaugurates the dangerous practice of foreign dumping by government aid. And it makes much more difficult the future task of basic reorganization of the industry.

THE Federal Farm Board, it will be remembered, was created not merely to assist the growth of farmers' coöperatives, but to build up an "orderly marketing system" and eliminate distributive waste. Mr. Julius H. Barnes's testimony before the Senate Committee investigating lobbying reveals that the private grain dealers regard this project with some alarm, and have protested to the Farm Board. Is the government, through the Farm Board, going to interfere with their business by building up coöperative merchandising agencies to compete with them? Is it going to offer loans to coöperatives on better terms than they can obtain? This raises a legitimate question concerning the very heart of President Hoover's scheme of farm relief. Either the Farm Board will interfere with the distribution of farm products as it is now conducted by private interests, or there is no gain to be realized by the Hoover plan. Chairman Legge's letters to Senator Caraway and to Mr. Butterworth, President of the U. S. Chamber of Commerce, are not wholly clear on this point. Mr. Legge states that the Board has not altered its policies as a result of the hearing given the grain trade, and says that business must adjust itself to the new marketing methods which the Board expects to build up. It remains to be seen, however, whether these new agencies will make radical enough changes to bring the farmer real relief. And of course there is the basic question of whether any possible improvement of distribution can really benefit the farmer much.

IS IT possible for working men to get justice from the North Carolina courts? Another piece of evidence to support the belief that it is not, is found in the outcome of the deputy sheriff's trial at Marion, which ended last week. These deputies were part of the group of sixteen, which, on October 2, shot and killed six strikers and wounded twenty more, outside a mill gate. Eight of the deputies had been set free by Judge Harding at the preliminary hearing; the other eight were acquitted by a jury which, as soon as the verdict had been rendered, rushed forward like a group of long-lost brothers to shake hands with the defendants. The state of North Carolina conducted the prosecution in such a half-hearted manner that the only effective work done was that of special attorneys retained by the American Civil Liberties Union, which was able to do this because of the rather unusual terms of the North Carolina code. This work, however, proved unavailing. The situation in North Carolina is well summed up by Roger Baldwin of the A. C. L. U.:

> The jury's verdict is in keeping with the performances in North Carolina in recent months. Every officer or mill agent guilty of violence has been either not held for trial or acquitted. . . . At the end of seven months' struggle to organize, the strikers' toll is six men and one woman killed, twenty-four wounded, seven sentenced to prison for five to twenty years, seven kidnapped and five flogged by mobs. Not a single one of those responsible for the violence against the strikers has been brought to justice.

If the future court actions in North Carolina were left wholly to the state, there would indeed be reason to despair of justice; but fortunately this is not the only recourse. The A. C. L. U. has also instigated a series of private actions, which they describe in these words:

> In the most shocking single case of violence, the murder of Ella May Wiggins, twenty-nine-year-old Southern textile striker, shot and killed on the public highway while she was being pursued from an attempted strike meeting, we have moved in three ways:
>
> First, we have offered public rewards of $1,000 for information leading to the conviction of the man who killed her, and smaller rewards for the conviction of his accomplices.
>
> Next, we have instituted civil suits for damages, acting on behalf of her brother, who was appointed her administrator; these suits being filed against the mills, The Gastonia Gazette and twenty-four individuals. Any money recovered beyond expenses and lawyer's fee will go to Mrs. Wiggins' five children, now in a state home.
>
> Third, we are participating in the prosecutions of the men held by the grand jury for her murder, employing counsel and investigators to be sure that the state does its job.
>
> We have also filed suits against the sheriff of Mecklenberg County and other officers for unlawfully arresting and imprisoning four organizers of the union, charging them falsely with "insurrection and rebellion" after raiding their homes without warrant.
>
> We have prepared damage suits ready for filing on behalf of the three textile organizers, Lell, Saylors and Wells. These men were kidnapped in Gastonia on the night following the mistrial of the murder case in September, and taken by a procession of over one hundred automobiles through three counties to a lonely spot in the country; there one of them was being flogged when the kidnapping party was scared off by hunters whom they mistook for officers of the law.
>
> We are participating with the International Labor Defense in the appeal to the North Carolina Supreme Court of the seven men convicted at Charlotte for conspiracy to kill the chief of police of Gastonia last

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June, because this trial involved the religious and political beliefs of the defendants and thereby became a civil liberties issue.

The Union has spent $4,375 in this effort to defend the most elementary rights of citizens of the United States in courts controlled by the employing interests. It has pledged itself to spend $4,000 more. We have no doubt that their appeal for this sum will receive a hearty response. The address is 100 Fifth Avenue, New York City.

FOR SELLING an obscene book, James A. De Lacey, manager of the Dunster House Bookshop in Cambridge, Massachusetts, has, after appeal to the Superior Court, been fined $500 and sentenced to serve a month in the House of Correction. The book in question was "Lady Chatterley's Lover," which was reviewed in The New Republic of July 3. It was shown that the bookshop did not carry it in stock, that Mr. De Lacey procured a single copy at the urgent request of an agent for the Watch and Ward Society, who presented himself under an assumed name and character, and finally that it was sold to this *agent provocateur* without profit. The judge's verdict, however, was only to be expected under the present Massachusetts law, with its extreme and stupid definition of obscenity. What was surprising about the case was that all the interested parties—the attorney for the defense, the prosecuting attorney and the judge himself—agreed in condemning the methods of the complainants. The remarks of District Attorney Bushnell in particular proved that the Watch and Ward Society was winning a Pyrrhic victory. "I want to serve warning," he said, "that if ever again, as long as I am district attorney of this district, they go into a bookstore and induce or procure a person to commit a crime, I will proceed against them for criminal conspiracy."

AN ARMISTICE has been declared in the long war of fashions. The women who opposed long skirts for street and office wear have won at least a partial victory. They were contending with powerful economic interests—with an alliance of fashion designers, department stores and textile manufacturers—but the women, too, had an economic weapon, and it now seems evident that they have employed it successfully. That weapon was a sort of informal buyers' strike. The department stores which had only the longer dresses in stock discovered that their sales were decreasing alarmingly, while the average selling time for each dress had increased about one-third, thus adding to their overhead expenses. Their younger customers, who had never worn long skirts, were willing to accept the new fashions, but there was more resistance from older women—who, not finding the sort of dresses they desired in the shops, bought no dresses whatsoever. The department stores, from the battlefront, sent a call for help to the general staff in Paris. The staff officers there replied by ordering what used to be called a strategic retreat, and by issuing communiqués in which they cast all the blame on their American subordinates. It was all the fault of the copyists, said M. Jacques Worth in the name of his associates in the *haute couture*. It was all a misunderstanding. . . . But it was a "misunderstanding" which, for a time, seriously threatened the comfort, the pocketbooks and even the health of American women.

AFTER four years' activity, the Fascist League of North America is about to disband. Its head, Count Ignazio Thaon di Revel, insists that this action is voluntary, but there is good reason to believe that it was at least in part the result of the investigation which the State Department has been making of its practices, and the fear of a congressional inquiry which would have brought to light just what the Fascist League has been doing. We do not, at this late date, need to tell readers of The New Republic much about those activities. Pretending loyalty to the United States, the League was actually a tool of Mussolini, whose principles and practices are incompatible with the American democratic doctrine. To the charges that it resisted the naturalization of Italians in the United States, sought the dismissal of Italian teachers who were anti-Fascist, and tried to boycott Italian newspapers on the same ground, it has never made any effective answer. It was a sinister force among Americans of Italian birth or ancestry, and its demise is a matter for whole-hearted rejoicing.

Final Railroad Consolidation?

AT LAST the Interstate Commerce Commission has adopted a "final" plan for railroad consolidation. Yet if anybody memorizes the nineteen systems which it lays out, with the expectation that this is the form which the railways will finally take, he is likely to find that he has wasted his time. Consolidation is not compulsory under the Transportation Act. The Commission must, it is true, pass upon any projects for specific consolidations, using its plan as a guide, but it can modify that plan if it wishes. And already the plan is a focus of criticism by commentators, including some of the Commissioners themselves.

It will be remembered that the law of 1920, under which consolidation is supposed to take place, specified that a tentative plan was to be adopted, that hearings on it were to be held, and that a final plan was then to be drawn up. Professor William Z. Ripley of Harvard drafted the tentative plan. But the hearings developed so many objections—many of them contradictory—that the Commission for several years gave up in despair the drafting of a final plan. Instead, it asked Congress to relieve it of that duty, and to permit it to decide piecemeal on projects which came before it, without

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reference to a general plan. Congress did not enact the amendment requested. Meanwhile, specific consolidation projects—such as that of the Van Sweringens—came before the Commission and were for the most part rejected. Others were discussed, without being submitted. And, recently, railroads or railroad holding companies have evinced a tendency to bring systems together by acquiring stock control, but without formal consolidation. The Commission has striven to prevent this means of evading regulation. For the grouping of competing lines is contrary to the anti-trust laws, unless the Commission gives its consent as authorized in the Transportation Act. Apparently the Commission has now made up its mind that it has no choice but to adopt and publish the "final" plan. But the objections to the plan are likely to confirm the former skepticism of finding any that is satisfactory. Professor Ripley himself, the author of the tentative plan, is one of the most severe critics of the final one.

All this difficulty arises from confusion as to the purposes of consolidation, plus confusion between public and private interest. The original idea was that consolidation would be necessary in the public interest, if private ownership was to be retained. After the War, some of the roads were suffering from weak finances and poor credit. It was hoped to improve their position and enable them to raise necessary capital by combining them with stronger roads. It was also felt that the experience of federal control, under which the railroads had been run as a national system, had shown the way to operating economies which could and should be realized, at least in part, by consolidation. Without such economies, it was feared that uneconomic increases in rates must be made.

Both these aims have become submerged in the course of time. General prosperity and railroad traffic have so increased, and operating efficiency under existing conditions has so advanced, that few roads are any longer in need of better credit. It has been possible for them to raise the necessary capital without rate increases. Furthermore, doubt has grown whether operating economies would really be much furthered by the type of consolidation which has been proposed. Is a system necessarily operated more efficiently just because it is made bigger? It must be remembered that the consolidation plans do not aim to eliminate the sizeable wastes of competition, but merely to create larger competitors. According to law, they must be so arranged as to retain existing routes of trade so far as possible; though much of the transportation waste is caused by the illogical nature of such routes. And there is a definite loss in efficiency to be encountered by enlarging too much the unit which the executive must govern.

The pressure for consolidation—or rather for most specific consolidations—no longer arises from public, but from private interest. It is almost identical with the merger tendency in unregulated industry. There are millions to be made in it, by promoters and bankers. Securities can be exchanged and issued, holdings can be scrambled, and the public can be induced to buy stocks at a higher price on account of its faith in the magic of mergers. Individual systems seek to strengthen their competitive positions. And these same motives create the opposition to specific consolidations, by minority stockholders, by rival systems, by localities which fear the effect of new arrangements. The ultimate result is not likely to benefit greatly the shipping and traveling public, or the employees. It will create larger and more powerful business units, whose influence may be greater upon lawmaking and regulative bodies.

A genuinely desirable unification program for the railroads would be of quite a different nature. It would regard the carriers, in their largest aspect, not as nineteen or fourteen or any other number of competing systems, but as a single, national system. It would retain, as administrative units, railroads not much larger, in most cases, than those which already exist. It would, however, centralize those functions of administration which ought to be on a national basis in order to eliminate the greatest amount of transportation waste. It would facilitate car pooling, the sharing of terminal facilities, better accounting practices. Without giving any operating officer too great an area to supervise, it would eliminate cross-hauling and uneconomic roundabout routes.

Such a program would be the natural development under federal ownership. It may, however, be approximated under private ownership without any such program of consolidation as is now in view. What is needed in this respect is not the gigantic conflict of railroad interests for greater power and profit which has now begun, but coöperation on a national scale, under federal regulation, among units of a reasonable size. If the railroads really put service first, this is what they would strive to do. If they proceed to the illogical and uneconomic consolidations toward which they have started, the movement for government ownership is likely to be encouraged in the future. For, some day, the public will wake up to the fact that the public benefits of consolidation have been illusory.

At Andy Mellon's University

THE situation at the University of Pittsburgh arising out of the attempt of the Students' Liberal Club to hold a meeting for the release of Mooney and Billings, and resulting in the dissolution of the club and the dismissal of two students, was commented on in The New Republic some months ago. The subsequent refusal of appointment to Mr. F. E. Woltman, a graduate assistant, who with Mr. W. L. Nunn exposed the brutality of the Pennsylvania authorities in articles entitled "Cossacks" in The American Mercury, and "Mur-

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der by the Coal and Iron Police" in The Nation, brought the question of academic freedom in that institution before the American Association of University Professors. A report on the matter by Professors George W. Sabine and Carl Wittke, accepted by the Committee on Academic Freedom and Tenure, is published in the Bulletin of the Association for December, 1929. It is an admirable document, clear and succinct in its account of the immediate situation, full of wisdom and foresight with reference to the large implications of a case which unfortunately must not be thought of as peculiar to Pittsburgh. It is a document which revives the best traditions of the Association in perhaps its most important aspect, as the defender of freedom of opinion and utterance in American universities, of the dignity of American teachers and the integrity of American scholarship.

Those traditions were established in the years during and immediately after the War, when in many institutions any utterance of truth or common sense in regard to Germany, the Allies or the policy of the United States was punished by dismissal. Only a few American universities escaped this disgrace. In Columbia, Professor J. McKeen Cattell asked Congressmen to vote against the conscription act, for which President Butler recommended his dismissal in a public letter full of patriotic rhodomontade. The trustees of the University of Pennsylvania dismissed Professor Simon Patten for opposition to the War. In the University of Minnesota, a campaign of proscription against professors who made a fight for free speech was initiated by the regents under the influence of Pierce Butler, whose fairness and judicial temper were appropriately recognized by a seat in the Supreme Court. It was such obvious and shameless attacks upon academic freedom that led to the formation of Committee A of the American Association. The investigations and reports of this Committee were honest and fearless. They forced university authorities to recognize certain principles governing the tenure of office of their employees, and enabled the latter to win back something of freedom of mind and self-respect, without which their service becomes a mockery.

Undoubtedly a general improvement has taken place in the last ten years in the relations of boards of trustees, president and faculty. But it is to be said that, while a regime of outward decorum has replaced the insulting and summary conduct of the various Butlers in showing their faculties the door, in many cases the change has been merely one of tactics. Institutions of learning are still dependent on state legislatures or private beneficence, and these sources of endowment are controlled by men who are naturally devoted to the main fetish of the capitalistic state, the rights of private property, to say nothing of conventional forms of religious superstition and moral intolerance. Especially when questions affecting the relation of wealth to government or labor are raised, either within or without academic walls, friendly pressure is brought to enable professors to realize that the immediate interests of their institution have claims over abstract truth or service to the community. In many cases, tenure of office is limited by contract to a single year; and if a professor remains recalcitrant, reasons for not renewing his appointment can be found, remote from the real causes of dissatisfaction. This situation is much more insidious in its menace to academic freedom and more perplexing to deal with than the open, frontal attack.

The University of Pittsburgh offers a clear illustration of these dangers and perplexities. A mushroom growth in a region in which the notable forms of culture are the steel trust, the Mellon mines and distilleries, and the Coal and Iron police, it has given hostages to fortune by erecting a gigantic educational plant in the form of a skyscraper, called bombastically "The Cathedral of Learning." As other institutions have mortgaged their athletic honor to the necessity of supporting vast stadiums, so the University of Pittsburgh has committed itself to a vertical prostitution, the wages of which is a sort of intellectual death. The chancellor alone is responsible to the trustees for carrying on and paying for this plant; he is obliged to rule through a petty bureaucracy; the faculty, whose members are appointed year by year, rarely meets. When a members shows independence which may alienate financial support of the type represented by Mellon, he is remonstrated with and finally dismissed. The Dean is quoted as saying: "The Chancellor depends on wealth for financing the Cathedral of Learning and for running the University, and he cannot permit anything to happen which might antagonize these wealthy interests or individuals."

All this is brought out by Messrs. Sabine and Wittke, without muffling their decision in faltering language. They say that there is no interference with classroom instruction, and thus differentiate the University of Pittsburgh from that of Tennessee, for example; but they say plainly: "It is generally agreed by all the members of the Pittsburgh faculty with whom we have conversed that there exists in the faculty of that institution a widespread feeling of insincerity and timidity. . . . They state that over a period of several years there has existed the conviction that a teacher must be extremely cautious in taking part in public discussion, especially if his convictions are enlisted on the side of unpopular causes, and that, if he does so, he jeopardizes his chances of promotion in rank, and salary, and in the extreme case runs the risk of dismissal." The report points out the absurdity of the contention that the university is responsible for the views of professors expressed as citizens; and characterizes the administration as "morbidly fearful lest the name of the university be compromised by public activities of faculty members."

This opinion may be easily granted when it is remembered that the particular activity of Messrs. Woltman and Nunn to which exception was taken,

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was an exposure of brutality, culminating in murder, by the agents of corporations and a local government controlled by the Mellon interests; and that the suppression of the Liberal Club was in consequence of a protest against the continued imprisonment of two men whose innocence has been admitted by practically everyone with knowledge of the facts. Finally the report states: "We cannot avoid the conclusion that freedom at the University of Pittsburgh, particularly the freedom of utterance which a teacher should share with all citizens, is precarious, and is held not by right, but by grace of the administration." The effect of this position upon the loyalty of members of the faculty to the institution, upon their intellectual self-respect and the authority which they carry to the classroom, may be imagined.

The American Association of University Professors, its Committee on Academic Freedom and Tenure, and Professors Sabine and Wittke, deserve great credit for this forthright and vigorous statement. It would have been easy to avoid the issue on the ground that Mr. Woltman was of junior rank, not a member of the Association, and not subjected to any violation of contract or precedent in being refused reappointment. It is clear, however, that if the Association limited its action by such technical considerations, it would fail to meet the situation which actually exists. As we have said, it is the more dangerous because it now rarely comes to the surface. It would be most salutary if the Association would undertake a complete investigation of academic freedom in the higher institutions of the country, and tabulate its results by classes, A., B., C., so that a student could know in advance the character of the college whose degree he sought. It may be supposed that professors of other universities would talk as freely as those of Pittsburgh to properly accredited committees. It would be an excellent thing for the morale of the profession to set up a standard of loyalty higher than the immediate financial needs of a feeble and cowardly administration. If funds could be obtained for an unprejudiced investigation of the athletic purity of our colleges, surely it should be possible to obtain ample support for an equally drastic investigation of a subject more closely affecting their intellectual validity.

The Pan-American Arbitration Treaty

WITHIN the archives of the Senate Foreign Relations Committee there slumbers one of the most important treaties the United States has ever signed. This is the one drawn up at the Pan-American Arbitration Conference in Washington last January. It is to be hoped that Senator Borah will place this treaty before the Senate in its present session. Its ratification would do much to restore the United States to its position as one of the leaders in the movement for compulsory arbitration, and to improve the relations between this country and Latin America.

It is significant that at the present time we have arbitration treaties with only five of the Latin-American states, and these are the old-style treaties, negotiated twenty years ago, which exempt from arbitration all disputes affecting national honor, vital interests, sovereignty and independence—exceptions sweeping enough to cover any dispute of importance. Obviously, there is great need for new treaties between the United States and all the Latin-American countries. Had we taken the initiative in proposing an arbitration treaty at the Havana Conference, two winters ago, the history of that conference might have been a triumph for Pan-Americanism. Instead, the gathering was allowed to spend its time in a heated but futile debate over the theoretical right of intervention. A genuine attempt to repair this error was made at the Arbitration Conference in Washington. Here the American delegation, headed by Secretary Kellogg and former Secretary Charles Evans Hughes, took the lead in negotiating not only an excellent conciliation treaty, which we have already ratified, but also an arbitration treaty which embodies the most advanced principles of international law.

The Pan-American Arbitration Treaty provides for the compulsory arbitration of all international questions of a legal nature, except purely domestic questions and those affecting the interests of third states. The treaty specifically states that all questions shall be arbitrated which involve the interpretations of a treaty: any question of international law; the existence of any fact, which, if established, would constitute a breach of an international obligation; and the nature and extent of the reparation to be made for the breach of an international obligation.

These categories are virtually the same as those of the famous Optional Clause of the World Court statute. The ratification of the Pan-American Arbitration Treaty by the United States will place us alongside the numerous states which have now accepted the compulsory jurisdiction of the World Court. If we can accept such an obligation in regard to Latin America, there is no reason why we should not enter into similar agreements with the remainder of the world. The ratification of the Pan-American Arbitration Treaty will be concrete proof that we take the Kellogg Pact seriously.

From the standpoint of our Latin-American relations, ratification of this treaty will also be of great importance. Many of the disputes between the United States and Latin-American countries which in the past have led to the use of armed force fall within the categories suitable for judicial decision. Thus, the disputes between the United States and Haiti in 1914, in regard to the contractual rights of the Haitian railway and the National Bank, were legal questions which, under the Pan-American Arbitration Treaty, would have to be

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arbitrated. At about the same time, the United States and the Dominican Republic became involved in a dispute over the question of whether or not the latter had violated the customs convention of 1907. Instead of arbitrating the question, as would be necessary under the new treaty, the United States seized Santo Domingo and governed it by military law until 1924.

Disputes involving the interpretation of treaties have also arisen with Panama over the Canal, and with Cuba over the Platt Amendment. It will be remembered that, in 1914, American forces, upon the order of President Wilson, seized the city of Vera Cruz, in retaliation for alleged insults by Mexico directed against the United States. In taking this city, American Marines killed about 200 Mexicans. The Mexican government contended that this bombardment was illegal under international law; and if the United States accepts the Pan-American Arbitration Treaty we shall probably be obliged to submit disputes of this type to an international court of law—where they belong.

President Hoover made a good-will tour of Latin-America before his inauguration, and has made a number of speeches urging friendship with our southern neighbors. Yet within a few days, the value of all this has been greatly diminished, if not entirely lost, through the killing of five Haitians, who were probably unarmed, and the wounding of many more, by a squad of American Marines. We cannot successfully preach Pan-Americanism, to say nothing of calling on the world to renounce war, as long as we use our Marines to put down strikers and rioters in a foreign country, when the disorders are of a character which, in almost any other part of the world, would be handled by the local constabulary.

If, then, we do not wish to see a revival of old antagonisms, we should prove by concrete action that we desire a change in policy; and such a proof lies in the ratification of the Pan-American Arbitration Treaty, which, to a certain extent at least, establishes a procedure which would submit our future interventions to some form of international judicial control. To be sure, it would still be possible for the State Department to establish puppet governments in the Caribbean, and induce such governments, by various forms of pressure, to "invite" us to occupy the country. It would still be legally possible for us to land Marines to protect such puppet governments from revolutionary attack. The arbitration treaty, naturally, does not establish international control over all of our questionable actions; but it is a step, and a very important step, in the right direction.

Some hostility to this treaty has developed in the Senate over the so-called *compromis* clause. The treaty provides that in case two states are unable to agree, within three months, upon the form in which their dispute shall be referred to the arbitral tribunal, the court may draw up the agreement. This clause, it is assumed, strikes at the control exercised by the Senate on several occasions in the past, when it has refused to authorize the President to negotiate such special agreements, without its consent. If the Senate has the right to veto the *compromis* in each case, it can, of course, defeat the arbitration of a question when it feels the United States may lose, and it can thus nullify the entire principle of compulsory arbitration.

It is to be hoped that the Senate will not insist upon this veto power. The controversies between the upper house and the President over this question date back to 1897, 1905 and 1911, when the practice of arbitration was little followed and when there were no arbitration courts commanding widespread confidence. Today, the situation is changed; arbitration is becoming more and more an international habit; furthermore, we now have the World Court at the Hague, whose prestige is growing daily. Whatever reason the Senate once had for insisting on its veto power no longer exists. Within recent years, moreover, the Senate has already consented to a departure from its former policy. Perhaps the most outstanding example is the "I'm Alone" case, involving the seizure of an allegedly Canadian rum-runner by the United States, which was submitted to arbitration in accordance with a treaty regarding liquor smuggling, negotiated by England and the United States in 1924. Although this treaty provides for the arbitration of disputes arising out of rum-running, it contains no provision requiring submission of the *compromis* to the Senate; yet the Senate approved it without any reservation, and the "I'm Alone" case has been referred to arbitration by means of a *compromis* drawn up by the State Department and the Canadian government which was not referred to the Senate. This is a precedent which deserves to be followed. If the Senate makes a reservation to the Pan-American Arbitration Treaty insuring to it a veto power over the *compromis*, the whole proposal may fail. Such a reservation would increase the accusation, by Latin-Americans and Europeans, that while the United States is willing to accept "principles," it does so only on condition that these principles shall not be applied.

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Russia and the Orient

CHINA'S summary defeat by Russia in Manchuria, and the undermining of the Nationalist government by widespread revolts, have put a period to a chapter in Chinese history. The bizarre adventure with Soviet Russia has ended, and Nationalism has suffered its first reverse. Hopes for a genuine unification and stabilization of the country must be deferred. It is a good time, therefore, to take stock of five years crowded with events which have changed the face of China and given it a new status in the world.

In a chapter which has run through every note from the tragic to the farcical, the high light has been the Russian incident. It must be emphasized that this was an incident, and no more. To professional conservatives and professional radicals alike—to whom the Far East and everything else is simple—Chinese Nationalism was purely a Russian product. To the one, it was only Red Russia's sinister seductions which lured China from its proper submissiveness, its sacred duty of setting its house in order—a duty it must fulfill while we respectable lodgers from the West continued to occupy rent-free the most desirable rooms we had preëmpted—and launched it on an impertinent career in which it actually demanded restoration of its heritage. To the other, it was only the Soviet Republic's righteous espousal of the cause of the downtrodden peoples that enabled China to free itself from the imperialists. Otherwise, according to both, the Chinese would have remained perfectly happy to let foreigners govern their biggest cities, garrison troops in their capital, pay no taxes to their government, enjoy exemption from Chinese legal jurisdiction and kick the Chinese about, whenever they liked.

Both were foolish, of course, if only for the reason that nothing in the East is ever so simple as they assume. Chinese Nationalism had sturdy roots long before the Russians were involved, and it would have produced stalk, leaf and fruit if there never had been a Soviet Russia. But Russia did fertilize the plant, water it and force its growth—a process which, incidentally, would have killed it if the roots had not gone so deep.

What the Russians did was to devise a propaganda machine for nationalism. They dramatized it, gave it currency, energized it, and then helped train the army which gave the Nationalist party success more quickly than it would otherwise have had—a fact which was also unfortunate for the Nationalist party. Emboldened by their early successes—for the foreigners showed at once that they could offer no effective resistance—the Chinese grew more exigent in their demands, and the more exigent they were, the more quickly we yielded. We had to. For five years, there has been steady progress toward independence.

A halt has now been called for the first time—not by England or Japan or America or France or any other of the stock villains of the Russian propaganda piece, but by Russia. China, having pursued the course on which it set out with Russian encouragement, and taken over the Chinese Eastern Railway, which by treaty was jointly controlled by the two powers, the Russians have administered punishment. They have done so in the purest, most orthodox nineteenth-century imperialistic manner—ultimatums, punitive expeditions, bombardments, occupation of cities and dictated terms. Palmerston could not have ordered it better. And the Russians have done so in defense of a classic example of imperialistic aggression. Whereas the British have let go territorial concessions, and all of us have relinquished other treaty rights, the Russians have struck in force to maintain their vested interests. They have their railway back, the railway the Tsar's diplomats forced the Chinese to yield as a weapon with which to conquer Asia. They have, as they say, defended their treaty rights—not all the rights of the Tsar, but a large part of them—those same rights that were the symbols of robber spoliation when there were British in the Yangtze Valley in 1926.

The Russians have their railway back—though it is doubtful whether they will keep it long—but they have lost the faith of Asia. That I believe to be fortunate for Asia. It is healthy for all Eastern peoples to cultivate cynicism toward great powers, and particularly healthy that they should now cultivate it toward Soviet Russia.

Ideologies are plastic and can be shaped to suit circumstances, but I cannot imagine by what deft manipulations an ardent emissary of the Communist International will convincingly explain to a Hindu Nationalist why it was righteous for Soviet Russia, protector of India against the British tyrant, to do in China, a country also needing protection against the British tyrant, what the British tyrant himself would not do. Incidentally, lest the emissaries of the Communist International be too persuasive, the Chinese government's official news agency has announced that one of the Chinese ministers now in Europe will return via Turkey, Persia and other Near Eastern countries, to lay before them China's case in the conflict with Russia. However nimbly ideology may be worked, it is more likely that in the jaundiced eyes of Eastern peoples, already fearful of strong powers bearing

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gifts, the facts in China will loom too large to be explained away by words. What Russia had, Russia kept, and fought to keep, while inciting China to take back what others had.

It could be said in answer that China broke the faith. It went bourgeois again, thus putting itself out of bounds. China had been in alliance with Russia, the alliance was useful for the purpose for which China desired it, but the time came when China had to choose between breaking the alliance or submitting the revolution—her own revolution—to the control of Moscow. The purposes for which China had started her revolution were being submerged. She had wanted to be freed of foreign restrictions, to purge the country of military rulers and to begin reconstruction. The issue had become whether she should have Communist rule or not, an issue imported from without, external to the genesis and spirit of the revolution and, in any case, gone beyond free Chinese choice. The Chinese broke with Moscow, of course, not because they were anti-Communist, not even considering the merits of Communism, but because they wanted to retain direction of their movement and their country. And had they not broken, China would today be a Russian protectorate more clearly than Egypt is a British protectorate. True, it would be part of the world revolution; but final decisions on its part in the world revolution would be made in Moscow. So, having broken in order to remain free, China is charged with being bourgeois and capitalistic, and the Nationalist government is said to be a tool of the imperialists. It is "an enemy."

In other words, whether nineteenth-century white England or twentieth-century Red Russia, the strong power serves its own interest. In doing so, it must impose its will on the weak, and if the weak are not submissive, they are punished. The point of distinction and determination is strength and weakness. It has been so as between Russia and China, and it would be so as between Russia and India, or Russia and Afghanistan. Russia will help them regain their freedom—but on its own terms. It so happens that Russia's interests are a set of principles rather than selfish aggrandizement, but to China or India or Korea or Mexico, that is irrelevant. It would be Russia's cause that would have to be served in the end, not their own. If, therefore, I were an Indian Nationalist, or a Nationalist of any other country determined to regain its independence, I should admit as many official or unofficial Russians to my country as desired to come. But as soon as I found them seeking to take a hand in my movement, I should first warn them politely, and if that were not sufficient, I should escort them under military guard to the nearest frontier and push them over. I should do so, not as an anti-Communist, but as a Nationalist fighting for independence. I might even be a Communist and still do so. Then my country could choose a Communist form of society if it liked, but in its own time, in accordance with its own ways and its own spirit. Meanwhile it would not be deflected from its main ends.

In so far as China was deflected from its main ends between 1924 and 1927, it is paying now. The Nanking government has for the time survived the concentrated attacks directed against it during the last few weeks, but the victory is not final, and there can be no sense of security. While the rebel armies have been beaten off, some of them are intact; but more important than the military factor is the psychological. A year ago, after the Nanking government had crystallized out of years of strife, even the skeptical began to feel hope. There was at last some promise of permanence. Nanking began to command respect, even in a land which has small faith in governments. Authority began to gather about it. It was acquiring prestige. Its authority was challenged, but only sporadically; and Nanking always emerged successful, which enhanced its authority. Then it stepped forth boldly to impose unification, to command obedience and to centralize administration. Revolt after revolt has followed. Chiang Kai-shek may win battles, but Nanking's moral prestige is gone. It no longer has the symbol-value of a government. That must be built up again, before there can be even so much of a start toward new things as seemed to be promised last year.

There are many and complicated explanations for Nanking's failure, but I doubt whether it could have succeeded, no matter what the circumstances. The Nanking government came too soon. Unification, attempted prematurely, proved to be only on the surface. Nationalism succeeded too fast, and its success was specious. It owes much, in China, to Russian help—too much. Without the Russian, the propaganda would have been less effective, indoctrination would not have been so general and so quick, but it would have gone deeper. Infectious slogans rallied enthusiasm and swept away opposition, but they meant too little and could be forgotten too easily. They were too little of the Chinese soil.

Revolution has been making in China for a generation. Its first success came in 1911, when the Manchu dynasty was driven out and a republic proclaimed. It has been a failure ever since, chiefly because it succeeded. It has never had time to work into the soil. And in all its phases, from the tepid republicanism of 1911 to the radicalism and intransigent nationalism of 1927, there has been too much smattering of foreign ideas, quickly caught and half-understood. In 1911, it was American democratic government. In 1927, when a small part of China had caught up to 1911, it was communism, or at least, social radicalism. There was the nucleus of a real spirit of revolution in the country after 1920, a genuine desire for a clean sweep and a fresh start. Had it been al-

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lowed to work in slowly, rally deeply felt convictions, progress steadily, there would have been a foundation which could stand. The foreign powers would have kept their privileges a few years longer, the Peking mandarinate would have clung to office for a brief period, but for neither would it have been long, in any case. The tides were running too strongly for both. A few more years of infringement of sovereignty would have been a small price to pay for a government that had permanence, solidarity and a program that had been thought through. In return, the upheaval of the last two years would not have been quite so catastrophic, and human suffering would not have been so ghastly.

But the Russian alliance was made, and it was fatal. For this, the Russians are not alone to blame: There were two parties to the alliance, of course. Nor are the Russians wholly to blame that they taught the Kuomintang how to make Nationalist propaganda too effective. There is even evidence that the cooler heads among the Russians sought to put some curb on Communist propaganda as such. They had no illusions about the practical possibility of Communism in China now. But not all Russian heads were cool, even in Moscow. Enough had become so fevered that a sharp extraneous issue was drawn across the main issue in China and the Kuomintang was split over the question of Russia. The momentum of Chinese Nationalism was so strong, however, that one party was swept to success, the Peking government was overthrown, the Nanking government was established and, most of all, the foreign powers began to be dispossessed of their privileges. In fact, the one clear gain thus far has been the recovery of national rights; it was not offset by any loss until the Russians went back to nineteenth-century disciplinary measures a few weeks ago.

Thus a full circle is described and a chapter ends. China starts over again, but not where it was before. For always, in recent years, before it loses two steps it has gained three.

NATHANIEL PEFFER.

A Substitute for Bullets

ONE morning recently the papers carried accounts of testimony in the Marion, N. C. trial, which accused the sheriff and his deputies of killing, by firing into their backs, a group of strikers who wanted a union, better wages and hours, and protection against speeding up. That is one way of dealing with labor. And it so happened that on the same morning I read three addresses presented to the Taylor Society about another way of dealing with a labor group which wants precisely the same things, and is in the same industry. The authors of the papers were, respectively, the agent of a cotton mill, the president of the union to which its employees belong, and an industrial engineer hired to help them both work out the problem. A technician instead of a sheriff, mutual adjustment instead of firearms, slide-rules instead of bullets. Is this way as much more intelligent as it is more humane?

The Naumkeag mill in Salem, Massachusetts, is the scene of the engineering experiment. That fact is not going to provide the text for any invidious comparisons between the North and the South. Naumkeag is as much ahead of most Massachusetts cotton mills in its labor policy as it is ahead of North Carolina. Workers have been shot in strikes often enough, this side of the Mason and Dixon line. The significance of Naumkeag's location lies in another consideration. Here is a company which not only pays "northern wages" but pays much better than the northern average. Being in Massachusetts, it is limited by law to the 48-hour week. It has long recognized and dealt with the union which other—and just now Southern—cotton manufacturers so dread. Yet it is one of the most prosperous companies in the entire industry. Its product—Pequot sheets and pillow cases—is of high quality and is successfully marketed in competition with other makes. Without going any farther, it is plain that here is prima facie evidence that a cotton mill can be in the North, can pay relatively high wages, can work decent hours, can deal with organized labor, and still can not only survive but prosper in the midst of long-continued and general depression in its industry.

I

This company, which has been in existence ninety years, owes its origin in great part to Napoleon. The embargoes and blockades of the Napoleonic wars dealt a blow to the shipping of Salem from which it never recovered. Local wealth and ability eventually sought other channels, and the investigations of some of the citizens led them in 1839 to establish on the harbor front the Naumkeag Steam Cotton Company. At the start the mill was unique in that it did not depend for power on falling water, but on coal and steam, and that it relied for the proper atmospheric conditions, not on the humidity of a stream-bank, but on the rise and fall of the tide.

The next date of importance in our story is June 25, 1914. On that day, the company had the great good fortune to see its plant entirely destroyed by fire. The first element in this stroke of luck was that it necessitated the construction of an entirely

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new mill, with new equipment, on modern and efficient lines. The second element was that the new plant was bought at pre-War prices and in a year of depression, so that no other new mill, built from at least 1916 on, could have as low fixed charges for the same capacity. This, you may think, lets the cat out of the bag. Of course, the mill could pay high wages and make a large profit too; its success has had nothing to do with its labor policy. That observation might have been valid for a few years, but the advantage could scarcely last until 1930. Most machinery sixteen years old is already technically obsolete. Replacements and improvements have been constant since 1914. Mills which are now using machinery older than Naumkeag's—there are many of them—could without doubt duplicate its present plant and mechanical efficiency without paying much more than Naumkeag has paid.

The next piece of good fortune which befell this extraordinarily lucky company was a strike, in June, 1918, in the spinning and carding departments, which led to the establishment of a local of the United Textile Workers of America, to the organization of most of the other employees, and to another strike in 1919. Naumkeag was not unique in encountering this sort of luck, but it was almost alone in not violently rejecting its gift from the fates. When the strikes occurred, Mr. J. Foster Smith, the agent, closed the plant, did not hire strike-breakers or detective agencies, and failed to resort to injunctions or yellow-dog contracts. He did not scatter his experienced force, or antagonize it. Instead, he made an agreement recognizing the union, with full collective bargaining, establishing a minimum wage for women, allowing dues to be collected within the mill, and setting up a shop committee to adjust grievances. The employees surrendered their immediate demand for a wage increase, but won something much more valuable in the long run—a permanent organization. The company surrendered its old autocratic privilege of deciding wages and working conditions without consultation with the employees, but won an organized group, with a high morale and good will, with which to deal. It settled once and for all the fundamentals of its labor policy, on modern lines, at least a decade before most of the other units of the industry had outlived fuming and fighting, suing and spying, clubbing and shooting.

Joint relations progressed to a formal agreement for union-management coöperation, signed in 1927, by means of which the Naumkeag and its employees joined that small but distinguished company in which are also found such leading organizations of industry as the Baltimore and Ohio Railroad, the Canadian National Railways and the Rocky Mountain Fuel Company. The agreement, quoted by President John P. O'Connell of the union, specified:

> First, that the employer recognized the union not only as the proper agent of the employees, but as an institution desirable to management.
>
> Second, that the union would promote the sale of the mill's products in every legitimate way, would help to maintain quantity and quality production, and would coöperate in effecting economies which might result from improved machinery.
>
> Third, that the union would not interrupt production in the event of any dispute with management before the elapse of sixty days for conference.
>
> Fourth, that the employer was pledged to use every effort to maintain good working conditions and wages and continuity of employment.
>
> Fifth, that regular meetings between the parties should be held to further the coöperative program.

Other provisions fixed the term of the agreement and the manner of changing it.

II

With these advantages, the mill entered the period of intense competition, of wage reduction, of widespread adoption of the "stretch-out" system. Two general wage cuts, amounting to about 20 percent, it declined to adopt. But the time came when a reduction of unit costs was felt to be necessary.

It is clear enough that the general situation of the cotton textile industry is a hazard for all the workers in it. There is no assurance that the best equipment, the wisest management and the most wholesome collective relations in any one mill can quarantine the workers in it from all the ill effects of an epidemic of overproduction, cut-throat competition and falling labor standards. But at least the Naumkeag was not in the position of a mill which would, without taking thought, adopt all the bad practices of the rest of the industry. It had a set-up which led to quite a different outcome.

After some consideration by its officials, the management proposed to the union a whole series of changes which would increase the output of individuals without lowering their wages. This reduction of unit cost could be achieved, of course, only by laying off workers no longer required. At least, it could not otherwise be achieved within a brief period, barring an impossibly sudden expansion of sales.

The union was naturally reluctant to accept. It consulted Mr. Morris L. Cooke, leading management engineer of Philadelphia. It then presented to the management a counter-proposal. It agreed that cost reduction was desirable to safeguard its employer, and thus its own status. It agreed that proposals of the nature suggested by the management would accomplish the result. But it pointed out that they should not be adopted wholesale, because of the effect on employment. Furthermore, detailed study of each suggestion was desirable. Why not employ an engineer, to be selected by Mr. Cooke, who could make analytical research into each process, recommend standards of performance

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in accordance with experimentally ascertained facts, discover new possibilities of waste elimination? Why not have a joint research committee on waste elimination to aid the experiments and finally adopt the standards recommended? This committee ought also to be fully informed as to the exact competitive situation faced by management in the matter of cost and quality, so that each employee concerned would understand the goal in view and be moved to make his contribution toward achieving it.

Furthermore, the union pointed out that it could not "endorse a program which will reduce the labor requirements per unit without reasonable assurance that the sales problem is being met in the same forward-looking and resourceful spirit." As productivity increased, the mill must sell more if it were not to lay off workers. Master planning in the sales department would be necessary to safeguard employment as much as possible. With such a plan in force, and making probable a stable or increasing staff, an unemployment-reserve fund could be built up to guard against eventualities, without imposing much burden on the company.

The management accepted this counter-proposal, and, at the nomination of Mr. Cooke, retained Mr. Francis Goodell to do the necessary research. Mr. Goodell's report to the Taylor Society makes plain, not only the difficulty but the engineering benefit and the educational value of the work being done.

The number of looms per weaver was formerly limited by the frequency of stops and breakdowns, which necessitated the weaver's attention. But with better maintenance of the machinery and operation control, the number of stops is reduced, and more looms per weaver are possible. How many he can tend depends not, as before, upon the emergency work he has to do, but on the incidental work. Some of this may be delegated to others. Some require the skilled hand of the weaver. To make new adjustments of work which really aid efficiency instead of injuring it requires careful study which many companies have not made, with much consequent injury to themselves.

The engineer, aided by members of the research committee in the plant, makes the study. They elicit the essential coöperation of the operatives by making clear the necessity of the goal in view and the feasibility of its attainment. All the facts are discovered. Criticism by the employees has full play *before* standards are adopted. The question is fought out on the basis of reliable information. The technician listens, weighs, and finally decides. Thus, though authority is not divided, it represents the best judgment of the group. If the union became convinced that the engineer was not serving its ultimate interests, it could demand the appointment of another.

In such a task, objections and misgivings are unavoidable. But they are localized, and their main power of harm is removed by the general understanding of objectives, of scientific method, of safeguards. It is significant that after the work had been in progress for many months, the existing officers of the union were reëlected.

"It is too soon to say," writes Mr. Goodell, "that we can make such standards more quickly than research which is not joint can do. Whether any industrial engineer can do it quicker depends upon what he finds to be done. Of course, an autocrat can operate quicker than a man with an educational task. But, in any textile mill, I ask whether that educational task can be ignored with economy. Can you get low end-breakage without at least passive support of company policies? Well, if we are going to assign the job of setting standards plus what we mean by educational work, then I claim that joint research is quicker as well as more thorough."

If no errors are made in setting the job standard, if all phases of the standard practice are worked out carefully, and if, then, the standard is recorded and nailed down, the management has a tremendous advantage in economical and frictionless operation. Both parties know exactly what is required. The employee knows whether he is right or wrong in any given instance. Discipline cases do not normally arise. That is the sort of result Naumkeag is achieving, which could scarcely be achieved without the earnest coöperation of the employees.

And finally, as Mr. Goodell points out, the method provides what a psychologist might call "emotional escapes along constructive channels." The capacity to feel and think which we all have is largely unused in industry. The typical worker, Mr. Goodell finds, thinks that he is not appreciated, broods, uses ingenuity in soldiering. The typical employer "has his desk piled high with matters that should never have gone to him, which could have been settled better and more promptly at the point of the job." Joint research uses the ability of the worker, saves the time and worry of the manager, changes obstruction to construction.

Will the sales control, plus the promised unemployment reserve, still the fear of layoff which, if allowed to survive, will undermine the whole motive of the employee for more efficient production? He cannot be expected deliberately to work himself out of a job. It is doubtless true that if he did not coöperate to improve productivity, he would be in equal danger through the inability of his employer to compete in the market. But that is too abstract a consideration to move him, unless there is a concrete way of escape. The crucial test of the experiment under the peculiarly unfavorable circumstances of cotton textiles lies, I believe, in whether the mill will be able to find enough new jobs for those who are eliminated by the new standards and methods of work. If it can, the coöperative, engineering substitute for bullets will win, not merely because it is more humane, but because it is more effective in a hard world of competition and survival.

GEORGE SOULE.

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Lady Hoboes

I BRUSHED against this guy in the S. P. yards at San Antone. He was a healthy-looking mucker: you didn't see many cheeks like that on the road. I sized him up to be a newcomer in the profession.

This was just after the War, and bumming was still a profession. A lot of the old-line stiffs were still hanging on, and while I had been knocking over the country for more than a year without turning my hand at wage-earning to make my way about, I didn't flatter myself that I was a real hobo. Although I wasn't an amateur, as most of the floaters are in these degenerate days, I was only an apprentice, and didn't try to make myself out to be anything else. I knew that the day when I should become a regular was not far off; I was becoming known among the old guard, and conducted myself accordingly.

So I said: "Hey, lad, it ain't healthy to stick around here; you better shag out with me." He was sitting moping on a tie pile not a hundred yards from the roundhouse.

I was, as I thought, talking for the fellow's own good; but he said: "Run on, infant—all you got to do is look out for yourself." He didn't sound like a hard guy, and he certainly didn't look like one, but there was a chilly, discouraging note in his voice which advised me, more than what he had said, that I had better mind my own business. I hustled out of the yard to wait for a hot shot that was making up to go toward El Paso.

The S. P. was still a reasonably good road to ride. The train crews seldom made any trouble, and even the bulls were all right if they knew a stiff and were sure that he behaved himself about breaking the seals on cars with merchandise in them.

But there was no point in stretching an advantage. I waited up the track for the hot shot, and as it pulled out tried to make the empty box car, near the front of the train, that I had spotted as I passed through the yards. But it was going too fast for me to swing myself up from the road-bed through the narrowly opened door. I ran back along the train and flung myself into a gondola about six cars ahead of the caboose.

The car was empty except for a few coal sweepings on the floor and the abrupt stiff who had suggested that I run along. He had a bottle beside him. I spread a newspaper and seated myself next to the bottle.

"How come you didn't make that empty?" I said.

The stiff said: "What empty?" I didn't pursue the subject any further, although he appeared to me to know his way about. He was slight in build, but too big for the upper half of his trousers, and his cheeks were too grimy now to discover anything about them. I surveyed the bottle, which jiggled with the motion of the train.

I said: "What you got in the flask?"

The stiff said: "Lilac."

"Well, lilac's booze. Come on, give us a shot."

We killed the bottle. It was smothering stuff, and warm from the sun, but I felt better afterwards. We both felt better. It loosened the stiff's tongue a little.

"A bull down the line give me that alky," he said. I didn't believe him, but I kept my mouth shut. I was feeling pretty good. I didn't want any argument.

He continued: "I got a way with the bulls."

I said: "You're lucky, fellow."

"Lucky, hell. You got a little brains, you can talk them monkeys out of 'most anything."

I had found that out; but the guy had fixed me up with a shot and I was set to let him spread the old oil about how good he was. You had to let the coming generation find out a few things for itself. Nobody I had met had given me any advice that was any good. You don't take it anyhow when you're just starting out.

The guy dragged another bottle out of the pocket of his coat. "Have another shot," he said. He passed me the bottle.

We killed the rest of the lilac in a few minutes. We smelled to high heaven. It was a powerful liquor, though.

The stiff said: "I'm glad to know you, Slim."

I said: "I'm glad to know you." And I was, too; a fellow didn't get a break like this every day. "You goin' to El Paso?"

"I ain't sayin'."

We saw a brakeman coming on the top of the car ahead of us. I threw the empty lilac bottles over the side of the gondola.

The brakeman made as if he would pass us, then halted on a sudden and glanced sharply at my companion. But he spoke to me first. "What you ridin' on, son?"

He stood stolidly before us. You could see that he was all right. I said: "Gosh, Mac, I'm busted."

"Busted, eh?" He turned to my companion. "Well, baby, I know what you're ridin' on. Why didn't you stay up in that empty where I put you?"

The lilac had gone to my head a little. The stiff kept quiet, and I said: "What you mean, you know what he's ridin' on?" But it was none of my affair.

The brakeman said: "By God, you must be goofy. You sure you didn't pick this wench up?"

"Sure I'm sure." But I wasn't yet sure what he was talking about.

"All right, sweetheart—back to the caboose with you. We'll fix you up there, all right. What you

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mean by 'ditchin' me and shellin' out the booze I give you to this guy?" He said to me: "I seen you get rid of them bottles."

I didn't get wise until then to the role the young stiff had been playing.

The kid got up. She said: "Well, as long as you say so I guess it'll have to be the caboose." She clambered over the end of the car, but instead of climbing on to the following one, she swung out swiftly and dropped off the side. The train was hitting a good speed, maybe thirty miles, but both the brakeman and I ran to the side and looked out and saw that she had made the jump safely.

I said: "How in hell did you figure her out?"

The brakeman smiled. "You got to use your eyes, that's all. I figured her out before I put her in that box—then I found out for certain."

"She didn't think much of you," I said.

"That's a fact. But it don't look like she thought much of either of us."

"That's a fact, too. Well, maybe I'll be seein' her down the line."

But I didn't see her again.

II

Daisy had more excuses for being on the road than she could use, because the only good one was that she liked the life. She never used this one except when her trail crossed Moll's, which was about once in six months. They would remain together for three or four days, then Moll would go one way and Daisy another.

Daisy was a good hustler. She played the tuberculosis, and as far as you could make out from what anybody said, the only man she ever thought about was Ding Lewis, who was dead.

Moll was different. She would team up with any stiff, for a while anyhow, if she really liked the guy; but when you got down to the fine points, Moll wasn't a good hobo. When she had a roll she generally rode the cushions, and sometimes she'd stick in one town for as long as a season. Moll used to say: "You can only expect a person to stay true to his class as long as he's in it"; but she hadn't thought that out for herself, and even if she had, it wouldn't have made any difference. The tribe was glad enough to have Moll at all, what with only a handful of women in the whole country on the bum.

Daisy and Moll had run away from a girl's reformatory in Illinois. Ding Lewis picked them up on the outskirts of Aurora. He wasn't flush at the time; but the kids were good-lookers, and in a bad way for clothes and food. Ding went out of his way to make himself square with the girls. He had been up to Chicago to get some new medical certificates, as the old ones had been checked up in New Mexico and found phony; and he had set out without a stake, as he hadn't expected to need any more money than he could hustle in an hour on the stem.

Ding hid the girls in an outhouse and returned in a few minutes with food. He was gone longer after the clothes. Ding was leery of prison, but he smashed a clothing store and returned presently with a great armload of men's garments. Daisy and Moll were seventeen and big enough for their age, and out of the stuff Ding had brought they were fitted very well. Then Ding said: "How about it?" It was all right.

It was no trouble to teach them a man's stride; and Ding, having observed and appreciated the amiability of his finds, began to educate them more profoundly. He could easily enough have sent them out without any education to make a living for him, but he wasn't that kind of a guy, and anyhow he was able to make a fairly good living for himself. He was satisfied to pass his knowledge on to them for their own benefit.

Ding worked the t. b. and epileptic rackets by turns. He was a wizard at malingering—or sufficiently a wizard to hornswoggle a layman—and he always carried documents, purchased usually in Chicago, as the prices were better there, to certify to his condition.

He brought Daisy and Moll on to Chicago with him, and had certificates made out for them. Then he put them to work; but for a long time they worked different sections of the same towns that he worked.

The procedure was invariably the same. A residence or office was visited, and the documents presented; and then a tale was told of the need for money to get to a certain sanitarium or hospital, well away from that particular district. The returns from these visits varied, but they averaged two dollars.

After a time, Daisy was as good at the t. b. and Moll at the epileptic racket as Ding was at either. The girls were then sent out to other parts of the country, one to the South and one to the Middle West, while Ding himself went, perhaps, to New England.

Moll early gave herself over to the enjoyment of the moment as she found it; but Ding Lewis surprised the whole fraternity, and especially the woman herself, by marrying Daisy. So Moll, as she thought, revenged herself by returning to Chicago to live; but soon she found herself once more in the reformatory, and she returned to Ding upon her release.

And then Ding died, of tuberculosis—a disease which he pretended to, but which he was sure he did not have.

Moll said: "There you are, Daisy: this hoboin' game ain't all it's cracked up to be. The graft part of it's all right, but beatin' your way around's what lays you down. Ding would be alive now if he wasn't a damn fool about exposin' himself ridin' freights."

Daisy kicked Moll out of the jungle, and cried a little, and maybe wondered if Moll wasn't right. But she couldn't make up her mind; and she had been plumb nuts about Ding.

And she had got to like the road. Of course she

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had to be careful about being picked up for vagrancy: being frisked sometimes presented difficulties. Besides, the young wise guys who were taking more and more to the road were hard to handle once they got really wise. She had to be a man to everybody who hadn't known Ding, and those who hadn't known Ding were increasing in number.

I saw Daisy in the jungle at Trinidad, Colorado. I recognized her because Moll had described her to me.

"Howdy, Daisy," I said. There was nobody else in the jungle. She was stirring a mulligan.

She said: "Rogers to you, Slim—and don't get funny."

"I ain't gettin' funny; I know about you from Moll. Saw her down in Tucumcari the other day. Here's some more junk for the mulligan." I had not expected to find the jungle inhabited, and I tossed her the bag of food I had mooched in town.

"Saw Moll in Tucumcari, eh? Stay with her long?" She trimmed the steak I had brought, and dumped it into the stew.

"A while, yeh."

"She's crazy. Always has been crazy."

"Yeh," I said.

"You goin' to make this jungle tonight?"

"Sort of figured on it. But if—" Only there weren't any buts about it, as far as I was concerned. A jungle was community property. If Daisy didn't sabe Moll's ideas, it was just a tough break for her that she was a woman.

I didn't finish my sentence. "No, that's all right. I guess we'll get along." She busied herself with the mulligan.

"Yeh, I guess so." Daisy looked just like any other guy in overalls and a sack coat, unless you looked at her closely. Then you could see that she was handsome, or at any rate feminine—or maybe it was previous knowledge which created an illusion.

We ate in silence. When we were through, Daisy said: "There's enough left for breakfast." I washed the pans in the brook and piled up enough wood for the morning fire. I took it for granted that she would prepare the meal in the morning.

The sun was going down. Daisy said: "Don't look like there'll be anybody comin' around here tonight."

I said: "Not after it's this late."

We smoked a while. "It's getting dark," I said.

I went up to Alamosa the next day to put the bum on that town. I saw Whitey Nelson up there. He was about set for a trip out to the Coast.

"I saw Ding Lewis's woman yesterday," I said.

"Yeh? She's a swell broad."

"Damned right. Straight as a die."

Whitey said: "You said it, boy. Straight as a die."

We stood for a little. Whitey looked at the sky. I whistled an old tune. Then I said: "By God, you're a liar, Whitey."

He looked straight at me. He shrugged his shoulders. "All right. What the hell?"

I shrugged also.

III

Not many of the old guard ever got to know Vannie. She was a bum all right, there was no question about that, but she wasn't the kind that rated among the real hustlers. It wasn't necessary for Vannie to hustle: she had the breaks right from the beginning. She was born with a silver spoon in her mouth.

The girl came from somewhere in Canada. She had been only a few days on the road when I met her the first time, just outside of Wells River, Vermont. There was a Gipsy camp in the jungles at the time, and none of the stiffs was hanging his hat in that section of the country. I had no real business up there, except that I had heard that Morro Kelarno was spending the summer with these Gipsies, and I wanted to say hello to Kelarno.

Vannie was standing on the edge of the jungle when I went up to Morro's car. The Gipsies had their automobiles parked all about the clearing, and were pitching their tents when I arrived. Morro had a bum arm at the time, so he sat in the front seat of his machine and watched; the girl stood on the side lines and watched also. She wasn't speaking to anybody, but I could see that she would talk, and that she wasn't a Gipsy.

"Who's the doll, Kelarno?" I said.

"Damned if I know, brother. She's been hangin' around here all day. Pretty, eh?" It was four o'clock then.

"Sure she's pretty." And she was, too. She was dressed in a hiking outfit, and a small knapsack rested beside her feet. She wore a khaki skirt instead of the usual breeches. A large red kerchief was knotted about her throat. It was a dash of color which meant nothing as compared with the very flashy attire of the Gipsy women.

"What's she doin' here, Kelarno?"

"Ask the girl, brother. Maybe she wants to be one of our women." He grinned as he said this, and there was little conviction in his words.

I said: "Maybe she does; I'll see."

I walked over to where the girl stood. "Hi, sister," I said.

She was direct. "Hi, Slim, you want to see me?"

"Well, I don't know." We strolled a little way out of the jungle and sat beside the highway. "I don't know whether I do or not."

"I'm mighty easy to see," she said. She removed a package of cigarettes from her blouse and lighted smokes for both of us.

"Gee, that's swell," I said. I inhaled hungrily.

"Swell, eh? You broke, Slim?"

"Flat, baby." She couldn't know the difference.

"Um. Let's get the hell out of here."

"Just a minute," I said. I returned to the jungle and left the few nickels I had with Kelarno.

We ate at a restaurant in Wells River. When

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we were through, I said: "Hell, woman, I thought you were on the road."

"Vannie, Slim—and if you still don't think so you better change your mind."

"All the same to me, Vannie."

I didn't get much enlightenment on the kid's background: she barely made it clear to me that it was worth more to her guardians to have her away from home than with them. They didn't know, apparently, that she was chasing around as a hitch-hiker, and Vannie was provided with a sufficient allowance to make such a mode of travel, on the face of it, absurd.

I stayed on in Wells River for two days, and then Vannie got tired and started toward Boston. It was too early to tag after the saps who make the harvest, but I shot on westward, and made the lakes over as far as Duluth. I went on a bender with the money I had made on the cruise as a wheelsman on the "Monroe C. Smith," and when I sobered up, all thought of remaining in that neighborhood deserted me. I headed down for the Mississippi Valley.

I hurt my ankle swinging off a blind in St. Louis, and laid around Market Street for a week, cursing my bandages; but it was a good enough racket while it lasted, because when a fly cop tried to vag me for panhandling, I convinced him that my hurt was genuine and he readily consented to let me go. But the stem was worked to death in that town, and when I got out on the road again I considered myself well off.

I nabbed the Iron Mountain out of town, then switched to the Southern and was presently in New Orleans. I was oyster hungry when I arrived; I went to a little restaurant directly across from the S. P. station. Vannie was there.

She was dressed as a man, and the knapsack was gone; but I recognized her. I took the stool next to hers at the counter.

"Hi, Van," I said.

"Van" would do for a guy, all right. I guess she appreciated it. "Hi, Slim. This looks like one meal you're able to pay for."

"Sure thing."

We went over to Lake Charles together. We took the rods. Vannie was sick and tired of the highways, she said. There were plenty of men driving, but not enough walking. If a guy was walking, she said, he was usually all right, man enough and everything, and with too much brains to pull any really rough stuff. You couldn't depend on drivers. They were liable to lecture you afterwards.

"Why don't you buy an old car and bang around the country in that?" I said.

Vannie said: "It's an idea, at that. I'll always be able to give some poor guy a lift."

"Certainly. You never can tell but what he'll be able to do something for you."

We said good-by. I didn't see her any more, but I'm pretty sure she bought the car.

IV

I bumped into Ed Fraley on the Skidroad. He was carrying a pretty good load, and didn't want to know me at first. But things weren't so good in Seattle just then, and I needed a shot to brace me.

I said: "Come on, Ed, spill us a drink."

He glared at me for a moment, then brought his eyes to the proper focus. "Ain't got a drink, but I'll damn soon get you one. Come along." He drew an empty flask out of his pocket, dropped it in the gutter to prove it was empty, and took me by the arm. "Come along," he repeated.

I went willingly enough. I was thirsty.

He had a hard time navigating, but at last he had guided me off the Skidroad and up into an alley. We halted before a decrepit and unpainted shack. Ed banged at the door.

"Hey, Mary," he yelled.

The door was opened by a rotund, shabbily dressed woman, whose face and hair showed her to be at least fifty. "Well, come in," she growled. I gathered that the growl was meant principally for me.

Ed staggered in, still clutching my arm. I necessarily went with him. There was an odor of sour mash in the room, and a cot and two chairs as furniture. I peered in the dim light, and concluded that the smell of the mash came from a tub under the cot.

Ed said: "Fix me and Slim up with a drink."

The woman said: "You a friend of Ed's?"

"I knowed Slim even before I seen you," Ed said.

Mary said: "That wouldn't have to be such a hell of a long time." She dragged a bottle from under the bed and passed it to me.

Ed said: "Ain't you got no glasses?"

"If he can't drink out of the bottle, he'll have to go somewhere else."

I didn't mind drinking out of the bottle. When I had satisfied myself, I passed the stuff to Ed. It was hard to get down.

He put the flask to his lips, but the woman seized it away from him. "You had about enough," she said.

"I guess you're right at that. By God, I sure got a head. Say, Mary, how's for ringin' Slim in on that trip down to the Falls?"

"What trip's this?" I said.

Mary said: "We got to get out of here. Rent's up and we ain't got a dime. We're shootin' down to Klamath Falls tomorrow."

"Look out, you'll talk your head off, woman. . . . Sure she wants you to come."

I had another drink. "Suits me, Ed."

Mary said: "I never said yet you could come along." But she filled the bottle again out of the tub. It took all the liquid. "Nothing left in there but rough stuff; you better go easy on what you got there." She gave me the bottle.

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I sat up. "Hey, how you guys goin' to make the Falls if you're bust?"

Ed said: "I hear they're still runnin' freights."

Mary laughed shortly. She said. "By God, they'd a damned sight better be."

They didn't have any property in the room but the tub and a few towels. Ed stuffed the towels in his pockets. "Well, let's get goin'," he said.

"I thought you were leavin' tomorrow."

"Aw, Mary'll tell you anything."

Mary said: "You goin' to leave the tub?"

"Sure. Couldn't hock it for a nickel and no way to bundle it along."

I wasn't sure until we got out into the light that Mary had been drinking. It was now manifest that she had been, but she was fairly sober; there was probably one good drunk split among the three of us. We stumbled down the Skidroad. A few of the stiffs hallooed at us, but we were let alone.

It was dark when we finally climbed into the end of a refrigerator car and arranged ourselves for the night. I went to sleep at once.

It took us more than a week to make Klamath Falls. I had always thought of myself as a pretty good moocher, and I knew Ed Fraley had a line that was usually good for a handout; but this Mary topped us and had lots of leeway. She could go down the line and scare up a piece of change quicker than I could rustle a feed at a back door.

"Where in hell'd you pick her up, Ed?"

"Saw her jawin' with Chi Billy up in Vancouver. Bill give me the eye and I figured he wanted to ditch her, so I bumped 'em and she tagged along with me. Good hustler, though—she can stick with me long as she don't get too rambunctious."

She was about Ed's age. I decided I had better not butt in.

It turned out I didn't have a chance to butt in. We made the Falls on a Sunday, coming in on a flat car. It was the only ride on the whole train. The crew dropped us twice, but as we scrambled back each time, they finally let us alone. A bull saw us about a mile before we hit the yards and tried to swing the train, but couldn't make it.

I said: "We better skin off this drag right now; he'll 'phone in sure. He saw that dress you got on, Mary." We dropped off.

Mary said: "You got here with us O.K., Slim—what you goin' to do now?"

"Ain't you and Ed got a place for me down here?"

Ed said: "Hell, no—we just figured you wanted company. We got to rustle plenty if we want to stick this town."

I hopped the next drag going back toward Seattle.

V

I never got to know Sal Harper. She was before my time. I got the low-down on Sal from Frisco Pete.

I met Pete on Fourth of July Avenue. I was on the beach, but he had just stepped off an oil tanker and was flush.

Pete said: "Howdy, Slim. What you doin' in Panama?"

"I might ask you the same," I said.

"Come on down to the Metropole and have a drink."

I said: "I couldn't get within a block of the Metropole."

"Hell, you look good enough. Come on."

I had tanked up down in Chorilla the night before, and wasn't feeling any too good; so I brushed up my clothes and combed my hair a little and went along with Pete.

I wasn't drinking anything but rum. Pete was good natured and ordered a quart of *Ron Estmeño*.

It was early afternoon, and there wasn't much doing in the cabaret. We got a table to ourselves and the girls didn't bother us any. I got the eye of one girl, but it didn't go any further than that, as she could see I was having it all on Pete.

I said: "There's a keen-looking wench."

"Which one?" Pete's eyes were all for the rum.

"There, that one—the one in blue." I pointed her out. She looked like a Colombian to me.

"The one in blue, eh?" Pete turned his eyes indifferently. He glanced casually at the girl. "Oh, that one." He drained his glass and poured another drink, and stared a minute at the girl. "Looks like Sal Harper," he said.

I gulped at my rum. "Never heard of her."

"Nobody ever tell you about Sal?"

"You tell me."

"Just what I was fixin' to do. *Oyez, cigarros aquí.*" I rolled a makin's, while Frisco Pete lit up his cigar.

"Sal Harper hit the road just after the Spanish-American War. Her old man had got bumped off in the Philippines, and this left Sal without a leg to stand on, as her ma had croaked a long time before that. She didn't know how to work, and she had some idea she was too good to go out and prowl the stem lookin' for suckers, so she become a hobo. I'm tellin' you, Slim, that when Sal hit the road she was just a kid. She'd never been around none, either, and when she hopped her first drag out of Indianapolis—that was her home town—she didn't, as far as I could make out, know the first thing about beatin' her way.

"It happened that Sal made the same drag I did out of that town. I was just a young punk myself at the time, and travelin' single; and when I saw this girl lam into my box car, you can bet your hide I thought I'd get a break. I was stuck back in the end of the car, and I didn't make a move until she was well inside. Then I said: 'Hey, girlie, if you want company they's plenty here.'

"The kid pretty near fainted when she saw me, but she tried to let on she wasn't scared. She set down near the door and tucked her skirt under her ankles, and acted like I was somebody she knowed all her life.

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" 'Hello there, old timer,' she said.

"Maybe that didn't make me feel good. She doped me out for an old timer right off, when anybody that was wise could see that I was just an ordinary monkey on the bum.

"I edged up to the kid and started makin' love, but she didn't see it that way. She was——"

I laughed, hard. "What you feedin' me, Pete?" I said. "You don't expect me to flop for that old line, do you?"

Frisco Pete defended himself. "Honest to God, Slim, this ain't the one about the beautiful broad that packed a gun and trained it on you to make you act unnatural. I really knowed Sal."

"All right," I said. We had a drink.

"Well, I seen I wasn't gettin' anywhere with her that way, so I laid off and started to tell her about what a tough time she was goin' to run into before she got through. Come to find out, she was scared as hell; and she give me the whole dope on herself, just like I told you.

"But she wasn't goin' to back out. She got off the train at the next stop and said she reckoned that she'd stick there long enough to get somethin' to eat. I offered to hustle some chuck for her, but not a chance.

"It was just a tank town, and there wasn't nothin' there for me, so I just shagged out and got me a feed, and piled on the train again when it come to the other end of the yards.

"It was dark by that time, but I located the car I had got out of and pitched myself in. There was a flock of stiffs in the car, but most of 'em, it seemed like, was home guards out for an airin'. One of 'em says: 'Where you goin', fellow?'

"I told him I'd come in on the train; and another one says: 'Maybe he knows the girl.'

" 'What girl's this?' I said; and back in one corner I heard a kind of breakin' voice say: 'Is that you, Pete?' and I knowed it was Sal Harper.

" 'Yeh, it's me,' I said; and the girl said: 'Well for God's sake do somethin'.'

"But there wasn't anything I figured I could do, and the train was hittin' it up by that time, so I just stood still. I knew what was happenin' all right, but you can see for yourself what kind of fix I was in, with all them other guys in the car, and nary a one of 'em wantin' to be trifled with.

"Well, the train slowed up again after a while, and you should 'a' seen the way them guys tumbled out of that car. But I wasn't lookin' for trouble, and I piled out with 'em, right smack into the dark."

He put a fresh light to his cigar. I rolled another cigarette and poured out the rest of the rum.

"A swell guy you are," I said.

"I can't help it." He looked again at the girl in blue. "You see that mama?" he said.

"Sure I see her."

"Well, that's just the way Sal Harper looked the first time I seen her. But the next time I seen her was about two years later, down in Virginia, and an uglier lookin' hag they never was on the road. I didn't know who she was, but she was wise to me.

"She said, 'Hey there, Frisco Pete, I got a little score to settle with you.'

"I placed her voice, although it had changed some, and not for the better, either. I said: 'Hello, Sal,' feelin' guilty as hell. But I had my little story ready.

"She started to raise sand with me for not givin' her a hand in that box car, and it was a good thing for me she didn't know what kind of a hand I really did give her. But I stalled her off by tellin' her them guys had pitched me out of the car because they didn't know who I was; and there wasn't any way for Sal to check up on me, so I got out of it all right. God, that girl sure went to hell fast."

"She stayed on the bum, eh?"

"Sure she stayed on the bum. I never seen her no more, but you'd hear of her once in a while. She died of pneumonia about ten years ago, ridin' an empty over the Truckee hump in January."

"Well, I'll be damned. And she looked like that doll in blue, eh?"

"Yeh; but there ain't no comparison between her and Sal."

"How do you mean there ain't?"

Pete said: "Sal was a lady."

"I guess she must have been," I said.

"She *was* a lady."

We let it go at that.

SAMUEL MILTON ELAM.

The Poplar at Sundown

The worming mind that will not rest
Has fretted out the miracle
Of water rising in the tree
Like music in a leafed-in well;

And man has tracked the running root,
Hunted from rings the tree's age,
Trapped the heartwood and the sheath,
And charted them cleanly to a page.

All forces dream and mirror there.
Abstract progressions build a tree;
But life, there straitly housed with death,
Abides, the unknown deity.

Mauve from the hill the sunset trails
A broken wing on the bough below;
The steep sun will blanch the day,
The pale sky on the tree is snow.

The eye no brighter burns with sight—
For all the ways the mind has trod—
Since the young eye of Adam first
Beheld in a tree his fiery god.

HELEN CORNELIUS.

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Washington Notes

A GOOD DEAL has been written recently about the chaos in the Senate, but not, it seems to me, too much. As the situation in this allegedly august body is surveyed at the close of the year, it is hardly possible to exaggerate its badness. The charge that the Senate is unable to legislate is, of course, not literally true, but it just misses being true. Actually, there is no dependable majority for anything, and every vote shows the lack of that cohesive quality which is essential to orderly procedure. This is as true with the Progressive-Democratic coalition as it is with the regular Republicans. Of real leadership there is none, and the prospect for accomplishment at this regular session is pretty slim.

Few posted persons have any idea at this stage that more than one or two of the minor recommendations made in the Hoover message will be accepted. The tattered old tariff bill will probably go through in reasonably dependable shape sometime in January, because the coalition will hold together to that degree, but on most other things, it will split with great ease and frequency. The vote on the confirmation of the Watson appointment, charged against the Pennsylvania Railroad, is the best evidence of this. Individualism is rampant in the Senate and in no party or party faction is there a real leader, because there is no leadership power to impose penalty or confer reward.

On the surface, this seems a bad situation. It is the sort of condition which greatly grieves the representatives of important business interests, who feel they ought to be able to get what they want by obtaining the support of recognized party leaders strong enough to hold their forces in line. Any other system seems to the "financial interests" intolerable and wrong. From the public standpoint, however, strange as it may seem, there are things to be said in favor of the present hectic confusion in the Senate, which nullifies party leadership and makes a joke of organized control. For one thing it eliminates the power, so often evilly used, of a few men to dictate legislation and decide great public questions in accord with their personal and political prejudices and desires. Further, it promotes freedom of discussion, dilutes the poison of partisanship and tends to make a Senator stand on his own feet instead of riding with the machine. Also, it gives people generally a better chance to size up the men who represent them, and stimulates public interest in the publication of the roll calls. The removal of the blanket of party control likewise affords a better opportunity to judge the mental processes of Senators and the influences that sway them. With the party excuse taken away, the necessity to explain and justify the individual vote is increased, which is not bad.

Perhaps chaos, disorder and a slowing down of the legislative wheels are not too great a price to pay for these things. Perhaps the exhibition of asininity, the drum-beating and gallery-playing that come from the breakdown of organized control are worth while when we consider the increased necessity of getting a majority on the floor, instead of in a committee, cloakroom or caucus. Perhaps the flare-up of sectionalism and the lessened prestige of the Senate as a whole are not seriously damaging, when the iniquities of the party-whip scheme of Senate control are fully taken into account. We have that scheme in the House, where the Longworth-Tilson-Snell machine functions with speed, precision and unimpeded effectiveness —most of the time—where there is no such thing as an individual member, view or vote. In the House, it is easy—most of the time—to get what you want by getting machine support. In the House, there is never a question as to the result of a vote. House roll calls are as uninteresting as a presidential message. On the whole, I am convinced it is a healthy thing for the country to have the Senate contrast, even at the expense of exasperating delays and ridiculous exhibitions.

It is, of course, possible to have too much of this rash of individualism with which the Senate is all broken out, and it must be conceded that several times the phenomenon came pretty close to the point where it risked being classed as imbecility. On the other hand, I know of no more encouraging thing in the politics of the last ten years than the complete demoralization of the little group of Old Guard leaders, so long accustomed to run things their way in the Senate. That there has not been a mere transfer from one machine to another, that the coalition lacks cohesion and often divides in an illogical and unintelligent way, does not seem to me a matter over which to grow incurably depressed—particularly when we are informed by the erudite analytical articles of the upper ten among the "corps of correspondents" that the whole level of the Senate is soon to be raised by the entrance of the Hon. Dwight Morrow, who will take his seat by appointment of the New Jersey Governor at the close of the London Naval Reduction Conference. It is pleasant to think that this is true, that the presence of Mr. Morrow will not only neutralize the presence of Mr. Grundy, but do more than that. I do not want to disparage Mr. Morrow, and no one doubts that in character and intelligence he will raise the Senate average. He certainly is an improvement upon anything either party has sent us from New Jersey in a long, long while.

However, in my judgment, there is another prospect of raising the Senate level even more promising than the coming of Mr. Morrow—and that is the going of Mr. Heflin. Mr. Heflin is a dangerous man in a fight, and has a big hold upon the more moronic part of the Alabama population. Nevertheless, the action of the state Democratic Committee in barring him from the Democratic primaries, thus forcing him to run as an independent, ought to make it easy to defeat him in that state next year. I am told by those who know Alabama best, that it is sure to be done if the Heflin opposition exercises only reasonable sense in nominating a candidate. In that case, in my judgment, the removal of the Senate's chief mountebank will be even more beneficial to the Senate's tone than the presence of Mr. Morrow, fine though he may turn out to be.

Speaking of Mr. Morrow, the view here is that he will by no means have the walk-over in the election next fall which was so enthusiastically predicted when his appointment and candidacy were first announced. The

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Hon. Frelinghuysen is expected to remain a candidate for the nomination, but there is every expectation that Mr. Morrow will win in the primaries. The strength of the political line-up behind him is apparently enough to insure that, regardless of the size of the Frelinghuysen campaign fund. It is in the election, not the primary, that trouble for Mr. Morrow is forecast, and the thing that will cause him the most trouble is Prohibition. So far as is known, Mr. Morrow has made no public utterance on Prohibition, but it is supposed he will adopt a law-enforcement attitude, and certainly he will not make the question paramount in his campaign. If the Democrats nominate a wet candidate—and they will—he will certainly make it paramount in *his* campaign. New Jersey is a wet state.

It will be recalled that Edward I. Edwards, now politically down and out, won his fight for the Senate there with the single slogan "I'm wet as the Atlantic Ocean." That was his platform. That was all he had, and that elected him. New Jersey Democratic leaders have not forgotten the efficacy of that slogan, and the significance of the Edwards victory. This is an off-year election with no Republican presidential candidate to pull the ticket through. You never can tell about an election a year away, but it may be that Mr. Morrow's presence in the Senate will be of such short duration he will not have a real chance to "raise the level." That would be just too bad.

T. R. B.

Washington.

Christmas by a Stream

TODAY in Texas, in Breckenridge Park, I have a real Christmas present: a long conversation with two men who have no engagements for this late afternoon hour, nothing they have dashed from, nothing to rush on to; we have only to sit here and talk.

It is a friendly place, this park, with the open ground under the trees, the sound, a little way off, of voices and laughter and music playing, in those stands and pavillions where refreshments are sold to the strollers, tennis players, golfers, picnickers and people traveling through the country in automobiles. Here and there are scattered stone tables and benches, and, not far from them, little iron grills, their legs driven into the ground, for cooking. There are piles of wood, cut short, stacked neatly; it is put here by the town, for anyone who wants to make a fire.

The three of us are sitting on the dry ground that slopes to the stream, which lies there within its quiet banks without a ripple, save now and then when some tiny life disports itself for the moment on the gray mirrored surface, or a bird drops down to drink or to wheel its flight lower into the canebrakes and mesquites on the other bank. There are dead leaves drifting about, from the green liveoaks, but the cicadas, which I heard in the summer, with their dry, sharp sounds, are gone now. You cannot see San Antonio, the town itself, from this retreat, but its bells strike from time to time, from convents, chapels, churches, coming faintly on the bright late hours of afternoon, its muffled horns and wheels, its renewed hubbub of Christmas Eve; and you know that, beyond the rock ledges and slopes, it lies in the light like a cloud, from which awakening forms rise, towers, long levels, walls, cupolas, into the shining air.

C—— is a doctor, around forty, very watchful, intelligent, absorbed, conjectural. Some years ago he went for a trip to Vienna and worked with Freud, and since then has brought something of psycho-analysis into his practice, and also a wider observation of the meanings of life and the processes of history in the world at large. K——, who makes the third in our company, is a professor in one of the academies here, a philosopher, warm-hearted and abstract-minded, enormously read, social and gregarious, large, loose-limbed, and given to deluges of words alternating with long, withdrawn, small-eyed silences. We have been talking of progress and of the hopes one may reasonably have for human life—whether the world has improved as time went on. There is more sanitation, we agree; is there more of a compelling beauty and ambitious splendor? There is more of a certain sort of physical justice and tolerance, less of physical brutality and cruelty; is there less of a certain vast spiritual tolerance and horizon, less of a just allowance for the divine extravagance in the heart, the mind, the spirit? Has education increased, or is it a mere mechanization of obvious training that is more general and less intense? Do more people know more, or is it only that more know the same thing? Is it the professor of science or the Lord these days that giveth and that taketh away, blessed be the name? Is the daily dozen that keeps the state of mind and liver normal, better than the visions of immortal grace, paradise or flames of hell? Is the conception of love greater because of social theories about it or scientific sanities, or is it still a secret knowledge that made Dante bow his head and look away at the sight of his lady who carried love in her eyes? Christmas is tomorrow, and nobody is pessimistic over any of this; it must be, in fact, an odd and spattered record of progress that we are setting up, with this gossiping of ours, but we like it, and that is the main thing. And C—— likes coming to his point about the one undoubted direction in which we have progressed—undoubtedly, he says, we have grown in the power for objective thought, for seeing things apart from ourselves, for dispassionate thinking.

I fancied K—— would have something to say to C—— on this, since he has just thrown a pebble that he seemed to be studying very intently into the water down there; but I see he says nothing, and so will put in a remonstrance myself with C——.

C—— is right, I suppose, in so far as he means that in our thinking nowadays more of the elucidations of science are brought to bear on things. And, no doubt, we are more apt to see ourselves and our desires in the light of a certain fatality of facts, widely imparted, or psychological explanations or key words or conscious social theory. As to our thinking being better than the thinking of previous ages, that would depend a good deal on whether our brains are better—our teeth, eyes, ears, noses and voices, are not, about our brains we need not decide, not this Christmas Eve, at any rate.

As to the dispassionate part of it, I should think the value of that would vary with the degree of passion that

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has been set aside, or sublimated into another kind of driving force, in order to do this thinking. The dispassionate thought of a passionate man might have a different value from that of a man who is passionless. At any rate, it is true of the greatest thinkers, hot or cold, that their thinking proceeded from and satisfied the strongest passion in them. We will not decide this, either, not for today, and I go on to one point that I have often thought of, watching people, and feel now so passionate an impulse to express that its value as thought will surely be worse than nothing. C——, I say to him, this is it——

There is, obviously, of course, such a thing as a more distinct thought, separable from the thinker, statable, set free in the world, and operant with its own life. But this thought's origin was in our human life; and its last use is its reëntrance into life, where it will be created in living terms, will one way or another be life.

What do you mean? C—— says, watching me as if I were a Christmas tree unsteady with tiny lights.

I'll take an example, I say, and then I will stop. Do we not all see people who are familiar with some quite significant thoughts—lofty conceptions, if you like—but who, for all that comes of it, might as well have these thoughts pasted over them in printed slips, like the word *fire* written on an unlighted stick? On the other hand, do we not know very simple people in whom whatever conceptions they have—of goodness, decency, fairness, say—are so completely one with their whole selves that we are humble before them? Some of these plain Texas fellows, for instance, coming in off the big ranches, so right with their own natures and so much one organism, their bodies, conceptions, ways, that what thinking they do is, through their thinking it, as alive and fresh as horseness in a horse? And, going back to the high conceptions, see how Michelangelo's ideas, his art, himself, were one living thing! We are not talking about philosophy, but about future human progress, and about your promising us more of that objective thinking, among people in general, dear old C——, and I say that thought follows the level at which life, in each individual, rises to meet it.

By now I have talked myself to the point of taking C——'s remarks as mere adolescent, busy-man cheerfulness, plus some amount of naïve sympathy for the ancients. And I know all the texts and terms that he could turn on me now, taken from those studies of his that are so loyally modern in words, clichés, explanations. I resolve, if he does, that I will quote at him Epictetus' saying to the philosophers—sheep do not vomit back again the leaves and grass they eat, but convert it into hides and wool. But K—— speaks up:

"I perceive you are a Platonist," he says, and this stops me, for I have observed among my philosopher friends that when they call me a Platonist it usually means that, for the moment, they are feeling superior to me. I can see, too, that K—— is hoping I'll mess it up; and so I say, meekly and frivolously, by way of suspension, that I see nothing Platonic, except that we are sitting here by a stream, under the quiet trees, like Socrates and Phaedrus beside the Ilyssus, with their dialogue of love and that prayer to beloved Pan. No, I add, going on with the argument, the point I was making is not Platonic, but rather, it seems to me, almost biological. Following the analogy of the body —a man is alive to us through the fact of his body. Or, leaving that figure—the circle is living for us through its presence in a wheel, the rim of the heavens, the whirling motion of a dance. From some men, an idea may receive a dead husk of words, into which the soul—I mean the *thought,* K—— snaps at the word *soul*—has never entered; from some it receives a body of living words; from some a body in some other kind; for, besides words, we have many other substances in which thought can come alive—actions, belief, character, art and so on. I change the figure again and say, picking up a shining pebble near me, where, as a part of the earth here, would this be, if it had not crystallized into quartz?

K—— has had enough of this, and begins to speak of the nature of morals—we are going on like a Christmas mystery play. He talks of how the moral upheaval that surrounds our epoch nowadays arises from the fact that, in the absence of authority—priests, powers, codes, he has a handsome list—the average man now must decide for himself, must in sum, to be effective, discipline himself. He discourses for some time on the need to subordinate ourselves to the general good, and makes out the moral life to be the highest aim of a wise and good man, who must abandon his private desires and find happiness in this devotion of his life to the larger welfare. At any rate, it is something like this that he is saying. I feel the grave rhythm of his thought; but the truth is, while he is talking, the twilight has come suddenly, I feel it and the visible hush on the muted landscape, and am like a child that suddenly wants his mother. I have left K—— and what he is saying, I am gone away.

What K—— says, as far as it goes, is well enough, though he need not be so stoical-sounding, need not deny so much of life; the only wise negation of life is that which renews it. He need not dry things up, as if great Pan were dead indeed, and the coming of all gods were not always only to increase life. But I know what I must do; and that the moral is for me, not me for it, if I am to be of any value to society. K—— would know it, too, if for the moment he were not being carried along, by this passion for perfection—objective and not Platonic, let us hope—to finish off his subject properly. I know that I must not forget the region above the moral, and once removed from K——'s moral world, with its problems of an age of machines and industrial captains. That I, as one human being, must move in my own secret fields, with all the undemocracy of their dark walls; and I must feed my heart, that warm spring and source from which my actions first flow; and afterwards comes the time to relate my actions to my daily course, and share what I can with others. Otherwise I shall only be nobly passing them an empty plate. This sky, to which the fountains of one's nature leap, and this sudden shining dusk coming along under the laurel trees; this star in the water now, repeated there from the sky——

None of us sitting here speaks of these things, and the moment's silence is broken at length by a Mexican and a little boy walking past. The little boy, not six perhaps, is holding on to the man's hand and they are laughing and talking. The lights are coming out in the town, and it is time to go home.

STARK YOUNG.

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CORRESPONDENCE

The Public Defender

SIR: Mayer C. Goldman's letter on the Public Defender, in your issue of November 27, confirms a suspicion that I have had for some time. Every suggestion I see of this sort lends strength to my conviction that reforms in our judicial procedures must originate outside of the legal profession.

The trend of the movement for judicial reform seems to be in the direction of simplification of procedure. The Public Defender idea, however, will make for complication. Such an innovation will only make our court procedures—more emphatically than they already are—a mere survival of the old Teutonic trial by combat. The Public Defender will be under pressure to secure a large number of acquittals. He will endeavor to prove his client innocent in spite of the facts. The public prosecutor, as now, will be obliged to secure a large number of convictions. He will try to prove the defendant guilty without reference to the facts. (Not theoretically, of course, in either case, but practically.)

Such a dualism of necessity will only confuse the jury. The individual juror has the duty of making a logical synthesis of the evidence to determine exactly what did happen in a given case (a task for which he is none too well fitted). One lawyer shows him how to put the facts together—by emphasizing certain testimony and discrediting the other—so as to reach the conclusion that the defendant is innocent. The other lawyer—by a different distribution of emphasis—shows how the facts better accord with the idea of his guilt. Psychologically, neither lawyer is helping the juror with his job. Is it not rather uneconomical and ineffective to show him two wrong ways of summing up the evidence to help him find the right way?

In reality, there are no two sides in a criminal case. Our defense-prosecution procedure grew up at a time when the criminal was considered as having "wronged" the state, and the state as being entitled to vengeance. The function of the modern court, as representative of the state, should be to ascertain the cause and the extent of the infraction of the law and to work out a readjustment between the offender and the social group.

Why, then, have either a Public Defender or a Public Prosecutor? Instead of trial lawyers and juries, why not have a small commission of seven, five or three judges—or even a single judge—depending on the amount of work to be done? Let these jurists be trained not only in the law, as at present, but in the new social sciences as well—psychology, sociology, criminology, etc. The business of putting conflicting evidence together and reaching a logical conclusion would be too technical a job for the average juror, handicapped by two opposing lawyers. The problems of penology demand a different sort of training from that which our judges are now receiving. So, in my judgment, if reforms are to be worked out in our administration of justice, something more basic must be done than making our trials a more refined form of the old gladiatorial combat.

CHARLES L. BANE, PH.D.

Hibbing, Minn.

In Defense of Employment Bureaus

SIR: In "Help Not Wanted" (The New Republic, December 18) Mr. Middlebrook brings out a fact that is undoubtedly true—there are few opportunities for college graduates without training in New York City, and many of them would be better off in their home towns.

I cannot agree with him, however, that employment bureaus are entirely useless. Employment bureaus are useless if they do not function better than newspaper advertising. I am not ingenuous enough, however, to think that an employment agency can solve the vocational problems of all college people, and that if it does not do so it is useless.

We have had a rather unfortunate experience with employment bureaus in this country. We have thought of employment work as a business and not as a profession, and until we regard it professionally we will never raise the standards of those engaged in this field.

There is no excuse for an employment bureau unless it is a good one. A poor bureau only muddles things and is a useless expense to the community. One might say the same thing, though, about doctors, about lawyers and about architects. Some employment bureaus are parasites, but there are many which serve a real function.

I know of no more economical way to gather vocational information than a well organized employment bureau. If the personnel of such bureaus remains fairly permanent, there is much valuable advice that can be given each applicant for work, and there can be a material saving of time in securing a position as well.

There have been many bad employment bureaus, but there seems no reason to think that there cannot be some good ones, too.

GERTRUDE R. STEIN.

New York City.

"Mrs. Eddy" in Pittsburgh

SIR: In his splendid article, "The Christian Science Censorship" (The New Republic, December 11), Mr. Craig F. Thompson has shown to what lengths this cult will go in order to silence all critics of its patron saint, and also its organization in general, This is not the only field in which this organization has been trying to coerce individuals and even public institutions.

The Carnegie Institute of Pittsburgh publishes a monthly magazine called The Carnegie Magazine. In the November issue, Mr. Samuel Hardin Church, president of the Institute and editor of the magazine, has this to say about the efforts of the local Christian Scientists to keep Mr. Dakin's book out of the library:

> When this book appeared, a group of members of the Christian Science Church called at the Carnegie Library with the request that it be excluded from the collections. Director Munn gave very careful consideration to the matter, but after conference he decided that, while consenting to keep the book out of the Monthly Notes and off the shelves that are open to visitors, his duty to the people of Pittsburgh obliged him to carry it in his circulation department, and since that time it has been one of the most sought-for of all present-day publications. It is not alone in Pittsburgh, but throughout the country, that the officials and publishing committees of the Christian Science Church have resorted to every form of pressure, up to the threat of a boycott, in their feverish efforts to suppress this masterful and illuminating book.

Although Mr. Church adds that the person attempting to refute the contents of Mr. Dakin's book will have a mighty task ahead, one wonders just why the library deferred to this cult by keeping the book out of Monthly Notes, which lists all new books added to the collections during the month, and also by giving a promise that it would not be displayed where the public might see it.

JOHN EVANS.

Pittsburgh, Pa.

A Call to Long Island Liberals

SIR: It has occurred to me that an organization of young liberals in this locality—the south shore of Long Island—would prove of great benefit and value. Unlike New York City, where liberal activities are organized and socialized to a very great extent, this section has no means of bringing together young people who cannot fit their views and beliefs into the established grooves of orthodox political and economic thought.

I should be glad to hear from any young man or woman who resides on the south shore of Nassau County, Long Island; any letters criticizing my proposal and suggesting means for its effectuation will be appreciated and duly answered. But it is most important that those interested be young people who find that their principles and ideals would be compromised by affiliation with *any* of the existing political parties.

Please address me at 355 Archer Street, Freeport.

EDWARD MARKS.

Freeport, Long Island.

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A Back Bay Humanist

Letters of Thomas Sergeant Perry. Selected by Edwin Arlington Robinson. New York: The Macmillan Company. 255 pages. $3.50.

THERE is another red sheet, The New Republic, that worships Lenin and Trotsky and at times contains readable articles on books" . . . so wrote Thomas Sergeant Perry to Solomon Reinach in 1921. "The outlook for intellectuals is bad enough, but then perhaps in a short time there will be no intellectuals left to suffer. This country subsists without them." "One of the curses of this country is that it puts all the power into the hands of inferior men. That is a result of democracy which always means leveling down. . . . I think that, barring Russia, this is the worst governed country in the civilized world. . . . Indeed I maintain that civilization, this civilization, is a wreck. It does not fall in one great crash like a circus tent, but a column falls here, another landmark there: the whole thing is crumbling." Of democracy he had consistently a low opinion: "I see no immediate limit to the demands of the vast, ignorant, arrogant voting public, bent on bringing everything down to their level. . . . Really the longer I live, the more this world puzzles me. If it comes to taking sides, I should think it more nobly democratic to be of a family building up from lowly, even simian origin, than to one of immense downfall from a god-like origin. . . . I am going now to look for a roomy, well-ventilated cave, with a southern exposure, for the time when all civilization is destroyed." "What an aristocracy we have in this country, a close body of billionaires. . . . No wonder their principal occupation is deserving and securing divorce. All they accomplish is making the display of wealth odious but desirable in the eyes of others."

Of the War he felt with the Back Bay. "The fact is"—writing to M. Reinach in December, 1914—"that we feel you are fighting our war. Your men at the front are defending us, you are protecting everything that makes life precious for us. You are guarding civilization," etc. "There are those who think they serve civilization by abandoning all effort to preserve it, and these are the vast masses in the West, who wholly misunderstood the War and care very little about it. They are the men who elected Wilson the other day." Of President Wilson he held the orthodox Back Bay view. "You meanwhile are doubtless making yourself hoarse with cheers for Mr. Wilson. The feeling about him here is very different from that which appears in Europe. . . . He has a few adorers who say it is our duty to support him, whatever he does, but he has succeeded in arousing a general, an almost universal distrust. All the intelligentsia lack confidence in him. The general opinion is that the one thing he cares for is himself. . . . He is thought to be very clever, but a man without principle. His attitude for so long a time to the War showed his character," etc. Whereas of Senator Lodge, who was his personal friend, Perry wrote: "He is very sound on all the questions now agitating us."

On such matters of public policy, Perry expressed the dinner and drawing-room conversation of the Back Bay: his opinions differed little, if at all, from those of the late Barrett Wendell, President Lawrence Lowell, *et al.* On subjects more germane to his personal interests he held equally conservative views. Of philosophy he wrote: "As for American philosophers, I think that when you have mentioned Emerson and James, you have done all that was needed. I used to make fun of William James, whom I knew well from 1858 till his death, about his philosophy." To James he wrote in 1909: "I read your philosophy as the pious read the Good Book. I don't understand much of it, but I am sure it is all true, and that in time I shall get profit from it. . . . I have a general feeling of gratitude to you for kicking the frozen Absolute and the icy personifications from their perches, though some other fellow will come along, prove you an intruder, and put them all back again. But I shall remain true to the beautiful Fechner, to Bergson (of whom I understand not a word), and to you." And, "Dear W. J., I have this morning received your "Truth." Jesting Pilate is at last answered, and I have made up my mind to become an active pragmatist when once I get back home. I shall preach the new gospel in the Back Bay. Do you provide a uniform for the saints? . . . For my own part, I have never been troubled by any uncertainty as to what is Truth. Truth is what I think." Of the famous "Education of Henry Adams" he wrote: "I don't wholly admire the book, and towards the end he gets beyond my understanding. It had wonderful success all over the country. . . . A more valuable book is the "Life and Letters of Page." Of history also he had a skeptical opinion. To his friend John T. Morse, Jr., he wrote: "You haven't seen Mark Sullivan's books, in which he tries to portray those ancient days, *i. e.,* 1900. He collects various things from the newspapers and, pinning them together, says he has made a complete picture of the times. He has done nothing of the sort; he has simply made a more or less interesting scrap-book. I wonder if any history ever gets any nearer to the truth. You know what I think history should be, and, for that matter, often is, a means of entertainment like the Arabian Nights, and to some extent of instruction, like the parables. Exact truth is the last thing one should demand of it. It should tell true things, but not try to explain them." Yet Ludwig's "Bismarck" he read, "with something like rapture."

The eighteenth century was Perry's own field, if such an eclectic and whimsical spirit could be said to have one field: towards the gods of the later nineteenth century he was skeptical or indifferent. Of Ibsen he wrote: "I don't read well between the lines. When Hedda Gabbler gabbles, she seems to me an insufferable nuisance, a mass of conceit and wrong-headedness. If that's the woman of the future, I'm glad I am living now (1906). . . . This is one enthusiasm, Ibsenism, that I have managed to escape. I think his plays, some of them, pretty good, but as for revelations from on high and all that, dear me, dear me!" He recommends the plays of Musset as antidote. Yet he hugely admired Chekhov, and in old age learned Russian to get nearer to him.

"Wagner [at Bayreuth, 1888, in "Parsifal"] seems to me a tremendous charlatan, but very able and impressive in a slow way. . . . One thing is sure, much of his work is *very* dull. . . . There is humbug in Wagner and abundant fraudulent admiration, at least among the laity, for his merits." Of his contemporary, Shaw, he wrote: "I am glad whenever G. B. Shaw gets the treatment he deserves. He is a curiously unsatisfactory person, as clever as he can be and perfectly hateful. His attitude in the War is that of Ireland immensely magnified." And so on and so forth. All of which seems to prove again, superabundantly, that man, not even the cleverest and most genial, lives or should live by his opinions, either those embalmed in public occasions or those spontaneously uttered in the unbuttoned intimacy of private correspondence, such as these letters from one of the most charming and humane Americans of the last generation. What Perry thought about the War,

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religion, history, philosophy, public personalities, etc., as shown above, was nothing more or less than what Back Bay and the Best of Boston thought about such matters —neither acute nor clairvoyant. What he himself really was, also partly revealed above—too meagerly revealed in this collection of his letters, which is rather narrowly selected from what must have been an enormous correspondence, and mechanically put together—is a whimsical, humorous, lovable man, a great, an omnivorous reader and annotator of books, a *bouquiniste* if America ever produced one, with a keen flair for the distinguished, the rare, in literature, despite occasional lapses of judgment and this despairing wail of his old age: "Sometimes it seems as if only the stupid people wrote books in a vain effort to get away from their own dullness." That may have been the reason why Thomas Sergeant Perry, after producing in 1883 his admirable "English Literature in the Eighteenth Century," so rarely put his hand to the making of books. His was the mind and the spirit of the connoisseur satisfied that others should furnish the material for his enjoyment. One wonders if another spirit like Tom Perry's has survived the machine age.

ROBERT HERRICK.

Born To Be

Born To Be, by Taylor Gordon. With an Introduction by Muriel Draper, a Foreword by Carl Van Vechten and Illustrations by Covarrubias. New York: Covici-Friede. 235 pages. $4.

"BORN TO BE," the autobiography of a Negro spiritual singer, has been characterized by its publishers and some of its sponsors and critics as an adventure in charming naïveté. And so, indeed, it is; but not in the precise sense indicated. Taylor Gordon—unless, of course, I am mistaken—has set himself to discover just what the world expects a Negro artist to be and then, with all the good humor in the world, has been it: simple, lusty, amoral, nomadic, sexually superior, sporty and laughter-loving. In this manner, he has succeeded in making a good three-quarters of his book amusing and even exciting, if not important. It holds too closely to the pattern for the lives of colored men set by the Van Vechten school to be very deeply revealing.

It is not to be doubted, of course, that the narrative is true: that young Gordon, born in a Montana mining camp actually did spend his childhood in communion with the town's bawds and saloonkeepers—such things as these were common to all boys, white or black, in that environment. It is not at all incredible that he captured the fancy and friendship of the great John Ringling, nor that, while acting as porter on a Pullman car, he was able to achieve sexual intimacy with an attractive woman never seen before or since, nor that, having begun life in poverty, he was at last able to sing before royalty and Carl Van Vechten, "the Abraham Lincoln of Negro art": all these things might naturally occur in the course of an existence. It is not easy to believe, however, that this man could have gone through these adventures—or any others—and remain so abnormally untouched and without suffering; nor that all of the bawds, chauffeurs, bootleggers and laborers *he* has ever met could have been such thorough playboys as he describes, neither needing, nor accidentally coming by, families and permanent responsibilities.

Only in the single chapter "My People" does "Born To Be" reveal more than the pleasant convention of the romantic underworld. Here Taylor Gordon reveals himself: "Many places where I used to go, I return to find some uncouth niggah has been there and fixed it so I can't get in again."

Covarrubias has illustrated the book with ten of the best of his caricatures that I have ever seen; Samuel Jacobs' typography is splendid.

MELVIN P. LEVY.

Beethoven and Brahms

Beethoven: The Man Who Freed Music, by Robert Haven Schauffler. New York: Doubleday, Doran and Company. 2 vols. 693 pages. $10.

Brahms, by Walter Niemann. Translated from the German by Catherine Alison Phillips. New York: Alfred A. Knopf. 492 pages. $5.

BIOGRAPHERS are getting much more searching and intimate nowadays. People in this century want to know how their hero dressed, talked, drank and ate, and what he did about women and his creditors. Even in Beethoven's own time, Schindler fell out with Ries because the latter thought that to "tell the whole truth about great men was right and could do them no injury." Thayer's otherwise excellent biography is a good deal spoilt because he thought fit to suppress "certain facts of importance." Ernest Newman, on the other hand, has worked hard to prove that, in effect, Wagner was little more than an "erotic little monkey." He has recently, in his "The Unconscious Beethoven," tried to tell the truth about Beethoven.

Mr. Schauffler knows all about these tendencies, but in his book has made rather a feeble compromise. He has chosen to be "matey" about Beethoven.

It is somehow a fact that today we can think of Beethoven "spitting out of a front window, using the candle snuffers as toothpicks, throwing eggs 'not to his taste' at the housekeeper, the waiter, or his fellow diners at the Prater," and still be very fond of him. For there is undoubtedly a simple and passionate grandeur about Beethoven which easily overrides these things, whether we choose to tolerate or object to them. And if the "great distinction of a superior man," to use Beethoven's own words, is "steadfastness under misfortune," no man ever lived more determinedly up to his convictions. A small, ugly man, possibly suffering from venereal disease, highly sexed and non-ascetic, "there was never a time," according to his boyhood friend, Dr. Wegeler, "when Beethoven was not in love, and that in the highest degree." Yet he was unable to gain any woman's lasting affection. Throughout his life, he was tormented by servants, by his light-minded half-sister and his scapegrace nephew Karl, and by domestic worries of the most trivial and stupid kind. One year in Vienna, he changed his lodgings fourteen times. At the age of 28, the trouble with his hearing began to show itself. Four years later he could not hear a "herdboy singing." At the time of the performance of the "Pastoral Symphony," when he was 54, he was literally unable to hear the applause of the audience. But he managed, by means of a determination at once conscious and instinctive, to "seize fate by the throat" (his own words again), and make an impression on the world which is unequaled in its suggestion of power and intensity.

In the face of all this, Mr. Schauffler's attitude is petty and irritating. No one dislikes the "rugged" bust of Beethoven by Klingsor more than I do, and no one is keener to

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see the real man standing up naked and straight. But it is a jar to read that Beethoven "felt about his poor ears as a beautiful but aging woman feels about her poor cheeks and eyes and throat." Further on we are told that "Beethoven was as impervious to humor as a crocodile to a small boy's catapult." In the Eighth Symphony, Mr. Schauffler says that "the first movement is double-faced—the apparently good boy in church, making ribald grimaces at the girls behind the hymn book, wherein he has concealed 'Roughhouse Rosie or the Seven Buckets of Blood'." This is out of place, and in such a context, entirely disgusting. In another vein, equally unsatisfactory, is his account of Beethoven's first meeting with Bettina Brentano. "Look, I have just written you a beautiful song. Want to hear it?" Thereupon in a voice vibrating with passion, he sang 'Kennst du das Land.' Seeing her cheeks and eyes burning. . . . " The book is full of small talk ("Mr. Harold Bauer's half-jest to the late Oscar G. Sonneck"), and extravagant similes, and maintains an attitude to its subject at once comprehending and familiar.

Straws show which way the wind blows, and enough has been said here to show that Mr. Schauffler lacks both a sense of taste and a feeling for proportion; and, in this book at any rate, he is beneath the temper of his subject.

In his long technical discussion as to borrowings and "germ motives" in Beethoven's music, Mr. Schauffler proves himself to be one of those musicians who take a curious delight in finding similarities between phrases in the works of composers. The marvel has always been to me how little composers manage to repeat themselves, or each other. After all, the scale is composed of only seven principal and five subordinate notes; and the actual note sequences are controlled largely by the current melodic and harmonic conventions of the period. Resemblances are bound to occur. In the case of Beethoven, Mr. Schauffler has spent a large amount of time and more than one hundred pages in enumerating them. Not content with insisting that these are nearly always deliberate, he quotes passages in which it is difficult to see any resemblance whatever. In any case, his basis for establishing a similarity is made to the eye (*i. e.*, the notation on the printed page), and not to the ear, or musical understanding. Real similarities are determined by questions of rhythm, implied harmony and context, rather than by any categorial resemblance.

For the rest, the book is a fairly readable, straightforward and chronological account of Beethoven and his work, which tells us little that is new about him, although Mr. Schauffler has covered the ground very thoroughly. There is a list of Beethoven's works, a sketchy but good working bibliography, a glossary, and an excellent table showing all the works of Beethoven recorded by certain phonograph and automatic-piano companies. This would have been invaluable if it had included all that had so far been recorded by all companies.

Mrs. Alison Phillips' translation of Niemann's book on Brahms, first published in Germany nine years ago, is good. The book gives a careful and detailed account of Brahms' life and works, dull in many stretches, rather smug and naïve in others. Niemann is very anxious to present Brahms as a representative Low German and North German. All the superficial and cozy mysteries of the type are gently insisted on. There is a Christmas tree and a nice warm fire, but it is exciting to know that bogey men are flapping and lobbing at the window-pane all the time. Brahms' music, consequently, is fired by the rare spirit of the Germanic ballad, and he is often driven to write in the "old daemonic key of D minor." On the other hand, "he spent his summers in friendly, sociable intercourse with a small, cheerful circle of friends and a reverent enjoyment of Nature." And he was so fond of Italy "that he simply refused to see the many dark blots on the radiant escutcheon of that glorious land."

What does emerge from Niemann's account, clearly and quietly, is the picture of a solid and worthy man who was born in the despised middle classes, remained faithful to his middle-class instincts and habits throughout, and yet became a great artist. Brahms had a good appetite which wanted no delicacies. He stood his drink well, but was always sober and frugal. He was not at all a sensitive person—"absolutely without nerves or sympathy," as he said to Clara Schumann. He was straightforward, virile, and entirely untouched by morbidness. All these things are incompatible with the high-faluting notions about art and artists current among the intelligentsia. But Brahms suffered severely for his incapacity "for getting outside of himself," and he was moved to say once, with "alarming vehemence," "I have no friends! If anyone says he is a friend of mine, don't believe it." But at the same time, it is obvious that he was a person of deep and generous sympathies. Like Beethoven, his celibacy was involuntary, and his manner became crude, brusque and sarcastic, largely because of it. Beethoven's attitude to the situation was violent and explosive. Brahms' was milder, but steady and insistent.

The chapters on Brahms' music are too painstaking and detailed to be read comfortably at a sitting. They are more like a collection of program notes than anything else. Niemann does not think that Brahms should be put with the very greatest composers because he had not "a conception of life as dominated by the power of fate." It is unusual for a biographer to put his subject beneath the level of popular opinion, especially as Brahms' music is now finding more supporters than ever before. Unlike Wagner, he was not interested in setting the fevers of the flesh to music. His work is at once serious and charming, with a deep and insistently lovely quality about it which is found nowhere else in music, except possibly in some of the madrigals of Byrd. Wagner's success in his own lifetime was overwhelming, but Brahms instinctively mistrusted everything that came from the Weimar school. No one sympathizes absolutely with the manifesto against Wagner and Liszt which Brahams and Joachim signed, but it seems to us nowadays, that in some respects, at least, Brahms' middle-class common sense stood him in very good stead.

JEFFREY MARK.

A Veteran Iconoclast

The Poet in the Desert, by C. E. S. Wood. New York: The Vanguard Press. 145 pages. $2.

CHARLES ERSKINE SCOTT WOOD presents a curious phenomenon in American letters. He is greater as a personality than any one of his books, largely because he represents several tendencies which we have come to recognize as representing an American tradition. Although he belongs to the same generation that produced Mark Twain, his real creative work was written during the period of the Great War. A man well past the age of seventy, he may be considered in the light of a post-War poet. Surely his natural, loosely formed optimism has

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changed its character until it now resembles something hard and strong, with a bitter taste running through it.

It is likely that if the War had not delivered a jolt to the many popular forms of Socialism current in this country twenty years ago, C. E. S. Wood would be a relatively unknown figure today. We can assume that he would be remembered dimly as a cultured gentleman of two generations ago, a man of honest benevolence, author of a book relating his experiences as an Indian fighter, and a poet of a certain simplicity and charm.

War in Europe, and a concentration of social revolt in America, produced a group of liberal periodicals in New York City representing all phases of revolt, from mild Jeffersonian democracy to the red and virulent extremes of anarchy. A by-product of this revolt was a revival of interest in poetry. The entire movement had a direct bearing upon the work of C. E. S. Wood. At once he began to see the obvious and immediate results of social injustice. He was ripe for the situation at hand. For years he had felt the need of a humanitarian philosophy to preserve his own integrity against the gross and materialistic civilization rising around him. He had given up a military career to practise law on the Pacific Coast. He hated war bitterly. Even the profession of law, corrupt as it was, and still is, allowed for compromises and a defense of the weak against the strong, impossible in the profession of war. Life on the West Coast gave the illusion of freedom to anyone who cared for the particular kind of American idealism that swept in waves across the country before 1900.

In 1914 it was no longer possible to dream about a Utopian America without disgust, without a sense of something lost in the rise of industrial civilization. In 1915 a series of satires, written by Wood under the general heading of "Heavenly Discourse," appeared in The Masses and were continued at irregular intervals until 1928. In the same year, he issued his first version of "The Poet in the Desert," a longish poem conceived in the form of dialogues between a Poet, Truth and Justice, all capitalized. Wood then became identified with the group that followed the leadership of Max Eastman. It was the beginning of a wide subterranean reputation.

The series of satirical sketches and the poem were the result of influences that had been buried for years in Wood's creative imagination. Back in 1882, when he was still in military training, he had published Mark Twain's now famous "1601" as a friendly gesture. A few copies of the book, turned into Elizabethan English by Wood, were run off a hand press for private distribution. "1601" was Mark Twain's effort to shock the respectable American middle class by a boyish use of rough words and the telling of a necessarily rough story.

Reading "Heavenly Discourse" you feel the influence of a fully articulate Mark Twain. In it you catch the spirit of a particular brand of iconoclasm that has existed in America since the days of Tom Paine, flowing through the personalities of Robert Ingersoll, Walt Whitman and Mark Twain, and at last commercialized by E. Haldeman-Julius. In book form the sketches had a remarkably large sale. The attack upon American religious, social and economic phenomena took fire. They are the best examples of rough and ready journalistic satire ever published in this country. The paper on the Sacco-Vanzetti case is one of the most powerful documents that has been written concerning this significant episode in American social history.

The development of the "Heavenly Discourse" sketches illuminates the growth of "The Poet in the Desert" from its first edition to the present volume. The poem that started its career as a loosely conceived and poetic criticism of American life has grown into a work of considerable strength. Here Wood's ability to write poetry in simple, well-wrought images has its opportunity to expand beyond the limits of evangelical humanitarianism. The sermon implicit in the poem has now been successfuly united with Wood's strong conception of a biblical poet in an American desert brooding upon his dreams of a lost Utopia.

HORACE GREGORY.

Notes on Novels

The Wings of the Eagle, by Gilbert Seldes. Boston: Little, Brown and Company. $2.50.

IN "The Stammering Century," Mr. Seldes made us acquainted with many social colonies, such as Harmony and Brook Farm, which dotted the scene in the years of America's adolescence, between the Revolution and the Civil War. In his novel he has taken a later experiment for his background, a settlement of Poles led from their native land to a village in the new world by Stephen Lodor. Lodor has a touching faith in the forces of the earth, released by labor upon it, to heal a sick social order. He calls his settlement Unity. This experiment, however, is important in the story as representing Lodor's vocation to serve his fellows, interrupted by his love for Anne Gordon. The triangle is sharply drawn against the background: Lodor, with his Messianic dream; Anne, with her woman's understanding and love; Gordon, who seems cast for Mephistopheles, but turns out to be Mr. Worldly Wiseman. If Gordon is a somewhat ambiguous figure, there is no flaw in the logic of the relation between Lodor and Anne, and Unity. Its pathos does not need the external tragedy to drive it home. Mr. Seldes is at his best when he writes in a low minor key, while his sensitive style preserves a unity of tone which is of the artist.

R. M. L.

The Hawbucks, by John Masefield. New York: The Macmillan Company. $2.50.

Sailors of Fortune, by William McFee. New York: Doubleday, Doran and Company. $2.50.

FROM the names of the authors one would expect both of these books to be about the sea, but Mr. Masefield has deserted his customary element for the English countryside. "The Hawbucks" fairly reeks of horses, dogs, foxes, hunting squires and beer. One of the squires has a beautiful daughter, Carrie Harridew, and it is with her remarkable effect on young men that the book ostensibly concerns itself—particularly her effect on George Childrey, just returned from Canada to take over his dead father's estate. George seems to be triumphing over the other suitors, but at the end Carrie chooses his unpleasant brother Nick, for no apparent reason except to save Mr. Masefield from anything so banal as a happy ending. Poor Mr. Masefield! Even with his very original and highly melancholy ending, he has not produced a good novel. Carrie, for all we see of her, remains colorless and unconvincing; you cannot convey the portrait of a beautiful girl merely by saying she has violet eyes, and that is about all Mr. Masefield does. From the attentions showered upon her by all the neighboring swains one gathers that Carrie has unusual charm, but this is never supported by the actual Carrie. Nor are the other characters more real; the truth of the

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matter is that Mr. Masefield is not interested in them: he is interested in the fields and the moors. His rural descriptions are often very lovely, but they are not sufficient *raison d'être* for a novel.

No renegade, Mr. McFee has stuck to the sea. This collection of stories by the veteran old maestro of nautical tales has the usual quota of romance, courage and melodrama. Beautiful ladies flirt, gallant captains go down with their ships, four-flushers show the white feather, and I am incredibly bored.

G. T. H.

Fever House, by Walther Von Hollander. Translated by Susan Jenkins. New York: The Macaulay Company. $2.50.

IT is perhaps harsh and a trifle unjust to quote from the book itself, in criticism of "Fever House," a sentence striking the curiously familiar note on which the volume closes. "Down below," writes Walther Von Hollander, throwing a clear light upon the crux of his protagonist's dilemma, "was the earth, for which Urk longed." Yet there is no denying that this volume is packed with an almost excessive number of Delphic utterances, each of them outdoing—and occasionally, to the reader's confusion, undoing—the weight and profundity of the others. The story itself, however, separated from the combined omnisciences of author and hero, makes dramatic and colorful reading. "Fever House" is a huge apartment-building in Berlin's west side, a structure which has begun to decay. set in a district which has seen better days. Manfred Urk takes up his abode here, after three years in the country and at the death of his wife, to be alone and to rediscover himself. But the lives of the other inhabitants begin to impinge upon his; he is initiated into their defeats, hopes, intrigues, desires. There is vivid strength in the story of Hella Termahlen, dying of consumption, unable to forget the cowardly Bresch, her former lover, who has been frightened away by fear of contracting the disease. It is regrettable that Manfred Urk was permitted to interrupt so often, with his dull cogitations, the more interesting stories of others.

K. F.

Sketch of a Sinner, by Frank Swinnerton. New York: Doubleday, Doran and Company. $2.50.

MODERN opinion seems to be a good deal on the side of the sinner; so much so, that it is a pity; this sin had so short a run; an accident, a little too much in the guise of avenging fate, cuts off the story where it might have begun. A girl, who at twenty had known two men, has married the elder; he is fifty and an antiquary into the bargain. They are very poor and cut off from life; it is by the merest chance that at twenty-six she meets two more men. Just as life is about to claim her, tragedy throws her back upon her husband.

Throughout the book we feel the struggle between the demands of poetic justice and of Mr. Swinnerton's sure artistic sense. The character of Lydia has a wistful beauty, there was never anyone like her in a book and probably only one person in life; she is thoroughly, remorselessly real. With the same unerring sense of detail which sets "Nocturne" apart from ordinary books, Swinnerton weaves Lydia's life above her husband's musty shop into the actuality of our own experience. It is, however, quite otherwise with the men. Sebastian, her husband, is definite in his fadedness; Ambrose, the young poet, is fairly credible in the setting of London, where strange creatures still survive; but the ubiquitous Gerard, who saves Lydia from accidents, and her miserable parents from poverty, taxes our gullibility. Beside the reality of Lydia, these men pale into nothingness and the story falls apart. We never believe in Gerard and cannot feel his loss. When Lydia is with him she takes on something of his unreality, and we are almost glad when she returns to the atmosphere in which she most truly belongs.

Lydia, with her conflict over her loyalty to Sebastian, her tenderness for Ambrose and her passion for Gerard, is, perhaps, as moving a character as Mr. Swinnerton has created; it is a pity that part of her story should fade off into a fairy tale.

E. F.

The Maurizius Case, by Jacob Wassermann. New York: Horace Liveright. $2.50.

AT the beginning of "The Maurizius Case" a man has been in jail for eighteen years. Maurizius had been a fashionable young university professor whose wife had been murdered. His trial had been a national German scandal. During the trial he refused to speak, and in the end Baron Andergast, the state prosecutor, had obtained a conviction, although many did not feel him guilty. Eighteen years later the prosecutor's young son hears of the case quite accidentally, and this isolated fact is so far-reaching that the prisoner is pardoned. Upon this theme Wassermann goes through his complicated arrangements without stopping for momentary effects. His characters do not talk often, and when they do talk they are half fulfilling their character and half expressing Wassermann himself. He weaves his people slowly, and often indirectly; in the end they are terribly lifelike, with the unnatural reality of dream images. There is no sensuous beauty and little attempted humor. When that humor does appear, it is the wounding humor which was also Heine's. Wassermann believes that the elements of human nature are wrong, and wishes for a world which will make it possible for man to be free from the complications producing them. But he does not present a solution of these wrongs. He is only an unprejudiced and disheartened spectator.

J. I. N.

A Correction

In Mr. Padraic Colum's review of Miss Léonie Adams' "High Falcon" in the Literary Supplement of December 18, this book was incorrectly described as Miss Adams' first volume of poems. Miss Adams had previously published another book—"Those Not Elect" (McBride).

Contributors

NATHANIEL PEFFER, a student of Oriental affairs, has spent much time in China.

SAMUEL MILTON ELAM, after running away from home at the age of twelve, spent ten years as a hobo and itinerant laborer. He has written a biography of George Borrow.

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